

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

TWENTY-FIFTH DAY'S PROCEEDINGS

**Thirtieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 13, 2004

The Senate was called to order at 1:30 o'clock P.M., by Hon.
Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their
names:

PRESENT

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

ABSENT

Barham
Total—1

The President of the Senate announced there were 38 Senators
present and a quorum.

Prayer

The prayer was offered by Senator Nevers, following which the
Senate joined in pledging allegiance to the flag of the United States of
America.

Reading of the Journal

On motion of Senator Nevers, the reading of the Journal was
dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the House

The following Messages from the House were received and read
as follows:

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 13, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of
Representatives has finally passed the following Senate Bills and
Joint Resolutions:

SENATE BILL NO. 690—

BY SENATORS HINES, JACKSON, BAJOE, N. GAUTREAUX,
MCPHERSON, SCHEDLER AND HOLDEN

AN ACT

To amend and reenact R.S. 40:1300.133(3) and R.S. 40:2197(D) and
to enact Part LXI of Chapter 5 of Title 40 of the Louisiana
Revised Statutes of 1950, to be comprised of R.S. 40:1300.222
through 1300.227, relative to federally qualified health centers
and rural health clinics; to authorize the Department of Health
and Hospitals to develop and implement a long-term plan to
encourage expansion and development of federally qualified
health centers and rural health clinics; to provide findings; to
provide definitions; to provide for reports to the legislature; to
provide for rules and regulations; and to provide for related
matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

May 13, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following
report:

The following bills are approved as to construction and
duplication. We advise and suggest the following amendments to the
engrossed bills.

HOUSE BILL NO. 402—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact Code of Criminal Procedure Article 734(C),
relative to subpoenas; to authorize service of subpoenas by
investigators employed by district attorneys; and to provide for
related matters.

Reported without amendments.

HOUSE BILL NO. 663—

BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact R.S. 15:587(A)(2), relative to the Louisiana Bureau of Criminal Identification and Information; to require the bureau to make available to the Department of Social Services criminal history record information on certain persons; to provide the department the authority to receive criminal history record information; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 811—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 32:1510(A)(3), relative to hazardous materials transportation; to exempt oil transporters from reporting certain incidents to the office of state police; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1220—

BY REPRESENTATIVES THOMPSON, BRUCE, CAZAYOUX,
DOWNS, FANNIN, FRITH, M. GUILLORY, HILL, MORRISH, ST.
GERMAIN, AND STRAIN AND SENATOR SMITH
AN ACT

To enact Part III of Chapter 4-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:331 through 333, relative to rural development; to create the Louisiana Center for Rural Initiatives; to provide for the powers, duties, and functions of the center; to provide relative to implementation; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1244—

BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 14:102.19, relative to offenses affecting the public sensibility; to create the crime of hog and canine fighting; to provide for exceptions; to provide for penalties; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1265—

BY REPRESENTATIVES THOMPSON, PINAC, BRUCE, DOERGE,
FRITH, MARCHAND, RITCHIE, SCALISE, SHEPHERD, GARY
SMITH, TRAHAN, WADDELL, WALSWORTH, AND WHITE AND
SENATORS ELLINGTON AND SMITH
AN ACT

To amend and reenact R.S. 36:4(L) and to enact Part IV of Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:955.1 through 955.4, relative to economic development; to create the Louisiana Broadband Advisory Council; to provide that such council shall be in the Governor's Office of Rural Development; to provide for definitions; to provide for the membership, terms, and vacancies of the council; to provide for the duties of the council; to provide for assistance from other entities; to provide for staff, consultants, and the utilization of monies; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1265 by Representative Thompson

AMENDMENT NO. 1

On page 3, line 11, following "than" and before "Subparagraphs" insert "members appointed pursuant to"

AMENDMENT NO. 2

On page 5, line 22, following "in" and before "of" change "Paragraph (B)" to "Subsection B"

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

The following Messages from the House were received and read as follows:

Introduction of Senate Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 82—

BY SENATORS N. GAUTREAUX AND THEUNISSEN
A RESOLUTION

To commend the Notre Dame High School softball team upon winning the Class 3A state softball championship.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 83—

BY SENATOR IRONS
A RESOLUTION

To express support for participation in the students and scholars program of the Patrick F. Taylor Foundation, the Audubon Nature Institute, and the New Orleans Museum of Art.

On motion of Senator Irons, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 84—

BY SENATOR FIELDS
A RESOLUTION

To declare May 14, 2004 as James Burrell Garner, John Will Johnson, Judge Kenneth Lavon Johnson, and Donald T. Moss Day.

On motion of Senator Fields, the resolution was read by title and adopted.

Message from the House**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 13, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 353—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact Civil Code Article 2818, relative to partnerships; to provide for the causes of cessation of membership; to provide for plans of liquidation or appointments of trustees; and to provide for related matters.

HOUSE BILL NO. 430—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 18:1505.2(L)(2), relative to prohibitions against campaign contributions loans, and transfers of funds by certain persons substantially interested in the gaming industry in this state; to provide that such prohibitions do not apply to contributions, loans, or transfers of funds to certain accounts of political committees of recognized political parties organized under laws of another jurisdiction; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 613—

BY REPRESENTATIVE HEBERT (BY REQUEST)

AN ACT

To enact R.S. 9:346 through 348, relative to visitation rights; to provide relative to intentional violations of court orders; to provide relative to public interaction with a child; to provide relative to parenting interference; and to provide for related matters.

HOUSE BILL NO. 842—

BY REPRESENTATIVE JOHNS

AN ACT

To enact Civil Code Article 191 and R.S. 9:395.1, relative to paternity; to provide for the establishment of paternity; to provide a time limitation for actions; and to provide for related matters.

HOUSE BILL NO. 916—

BY REPRESENTATIVES CAZAYOUX, BAYLOR, GLOVER, AND JACKSON

AN ACT

To enact R.S. 33:2186, relative to the rights of fire employees; to provide relative to investigations of fire employees; to provide for rights to attend hearings; to provide for time limitations on completing an investigation; to provide for extensions of time; and to provide for related matters.

HOUSE BILL NO. 958—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 34:29(A)(introductory paragraph), (1), (D), and (E), to enact R.S. 34:29(J), and to repeal R.S. 34:29(B), relative to the Port of New Orleans; to provide relative to the port's borrowing power and debt limitation; to remove certain limitations; to provide for the port's authority to continue the issuance of bonds and other obligations; and to provide for related matters.

HOUSE BILL NO. 1224—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 39:1593(C)(2)(a) and to enact R.S. 39:1484(A)(25), 1503(A)(4), and 1594(C)(5), relative to competitive bidding; to require competitive bids and requests for proposals to be advertised electronically; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 1295—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 42:1001, 1002(2), (4), and (5), 1003 through 1005, and 1008 through 1011, to enact R.S. 42:1002(12), (13), and (14), and to repeal R.S. 42:1006 and 1007, relative to the federal-state agreement for old age and survivors benefits for state employees; to provide for the inclusion of disability and health insurance benefits in such agreement; and to provide for related matters.

HOUSE BILL NO. 1580—

BY REPRESENTATIVE BAYLOR

AN ACT

To enact R.S. 32:143.2, relative to highways; to prohibit the blocking of private driveways, highways, and public rights-of-way under certain circumstances; to provide relative to penalties; and to provide for related matters.

HOUSE BILL NO. 1584—

BY REPRESENTATIVES RICHMOND, FRITH, AND JACKSON

AN ACT

To enact R.S. 40:1236.13(D) and (E), relative to automated external defibrillators; to require physical fitness facilities and institutions of higher education that compete in intercollegiate sport contests to have an automated external defibrillator on its premises; and to provide for related matters.

HOUSE BILL NO. 1681—

BY REPRESENTATIVES TRAHAN, ALEXANDER, JOHNS, ROBIDEAUX, AND WALKER

AN ACT

To amend and reenact R.S. 9:2799.5(B)(3), relative to limitations of liability; to provide for the screening and determination of eligibility by a community health care clinic or community pharmacy; to authorize the arrangement of health care services; to provide assistance for enrollment; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 353—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact Civil Code Article 2818, relative to partnerships; to provide for the causes of cessation of membership; to provide for plans of liquidation or appointments of trustees; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 430—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 18:1505.2(L)(2), relative to prohibitions against campaign contributions loans, and transfers of funds by certain persons substantially interested in the gaming industry in this state; to provide that such prohibitions do not apply to contributions, loans, or transfers of funds to certain accounts of political committees of recognized political parties organized under laws of another jurisdiction; to provide limitations; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 613—

BY REPRESENTATIVE HEBERT (BY REQUEST)

AN ACT

To enact R.S. 9:346 through 348, relative to visitation rights; to provide relative to intentional violations of court orders; to provide relative to public interaction with a child; to provide relative to parenting interference; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 842—

BY REPRESENTATIVE JOHNS

AN ACT

To enact Civil Code Article 191 and R.S. 9:395.1, relative to paternity; to provide for the establishment of paternity; to provide a time limitation for actions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 916—

BY REPRESENTATIVES CAZAYOUX, BAYLOR, GLOVER, AND JACKSON

AN ACT

To enact R.S. 33:2186, relative to the rights of fire employees; to provide relative to investigations of fire employees; to provide for rights to attend hearings; to provide for time limitations on completing an investigation; to provide for extensions of time; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 958—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 34:29(A)(introductory paragraph), (1), (D), and (E), to enact R.S. 34:29(J), and to repeal R.S. 34:29(B), relative to the Port of New Orleans; to provide relative to the port's borrowing power and debt limitation; to remove certain limitations; to provide for the port's authority to continue the issuance of bonds and other obligations; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1224—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 39:1593(C)(2)(a) and to enact R.S. 39:1484(A)(25), 1503(A)(4), and 1594(C)(5), relative to competitive bidding; to require competitive bids and requests for proposals to be advertised electronically; to provide for definitions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1295—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 42:1001, 1002(2), (4), and (5), 1003 through 1005, and 1008 through 1011, to enact R.S. 42:1002(12), (13), and (14), and to repeal R.S. 42:1006 and 1007, relative to the federal-state agreement for old age and survivors benefits for state employees; to provide for the inclusion of disability and health insurance benefits in such agreement; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1580—

BY REPRESENTATIVE BAYLOR

AN ACT

To enact R.S. 32:143.2, relative to highways; to prohibit the blocking of private driveways, highways, and public rights-of-way under certain circumstances; to provide relative to penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1584—

BY REPRESENTATIVES RICHMOND, FRITH, AND JACKSON

AN ACT

To enact R.S. 40:1236.13(D) and (E), relative to automated external defibrillators; to require physical fitness facilities and institutions of higher education that compete in intercollegiate sport contests to have an automated external defibrillator on its premises; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1681—

BY REPRESENTATIVES TRAHAN, ALEXANDER, JOHNS,
ROBIDEAUX, AND WALKER

AN ACT

To amend and reenact R.S. 9:2799.5(B)(3), relative to limitations of liability; to provide for the screening and determination of eligibility by a community health care clinic or community pharmacy; to authorize the arrangement of health care services; to provide assistance for enrollment; and to provide for related matters.

The bill was read by title; lies over under the rules.

**House Bills and Joint Resolutions
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 230—

BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 15:144(E), relative to judicial district indigent defender boards; to provide for autonomy and independence of indigent defender boards and appointed counsel; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 620—

BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 49:213.10(C), relative to venue; to provide for proper venue for certain actions where the state is a party; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 622—

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 13:4611(1)(e)(iv) and (f) and Children's Code Article 1509(E)(4) and (F), relative to penalties for contempt of court; to authorize the court to award attorney fees; to provide for the modification of an order; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 648—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 9:154(A)(16) and 165(B) and to enact R.S. 9:154(A)(17), relative to the Uniform Unclaimed Property Act; to provide for time periods for presumption of abandonment; to provide for administrative costs related to the sale of abandoned property; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 652—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 30:86(E)(2), relative to the Oilfield Site Restoration Fund; to provide relative to the amount of the fund that can be used by the Department of Natural Resources for administration; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 791—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Code of Civil Procedure Article 893(A)(1), relative to pleadings; to provide for the pleading of damages; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 792—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 40:1299.41(A)(16), relative to medical malpractice; to provide relative to the definition of "ambulance service" under the Medical Malpractice Act; to include certain students under supervision of licensed health care providers within the definition of "ambulance service"; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 821—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 23:1163(B) and to enact R.S. 23:1163(D), relative to workers' compensation; to provide for civil penalties against employers; to provide for exceptions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 953—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 33:4303, relative to Gas Utility District No. 1 of West Feliciana Parish; to increase the membership of the board of commissioners of the district; to provide for the appointment and terms of office of board members; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 960—

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 33:2740.25(D), relative to Rapides Parish and the cities of Alexandria and Pineville; to authorize the governing authorities of Rapides Parish and the cities of Alexandria and

Pineville to levy a sales tax on cigarette papers; to provide for the dedication of the proceeds of the tax; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 974—
BY REPRESENTATIVES ARNOLD AND TUCKER
AN ACT

To enact R.S. 33:4570.21, to create the Algiers Park Commission; to provide relative to the purpose, membership, and powers of the commission; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1023—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:420, relative to driver's license requirements; to provide for certain exemptions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1082—
BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact R.S. 33:102, 106, and 109 and to enact R.S. 33:101(5), 103.1, and 109.1, relative to parish and municipal planning commissions; to provide relative to training requirements of members of such commissions and members of advisory boards to such commissions; to provide relative to master plans adopted by such commissions; to provide relative to the relationship between such master plans and plans of the state and other political subdivisions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1099—
BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 22:682, relative to automobile liability insurance; to provide for liability of owners of motor vehicles for certain operators excluded from coverage; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 1109—
BY REPRESENTATIVE T. POWELL
AN ACT

To enact R.S. 33:3892.1, relative to sewerage districts; to provide relative to the powers granted to certain parish sewerage districts; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1147—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 9:3198(A), relative to the property disclosure form; to require that it indicate prior zoning; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 1184—
BY REPRESENTATIVES CAZAYOUX, BAYLOR, GLOVER, AND JACKSON
AN ACT

To amend and reenact R.S. 33:2477(4) and (5) and 2537(4) and (5), relative to municipal fire and police civil service; to provide for the length of time within which municipal fire and police civil service boards shall conduct certain investigations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1215—
BY REPRESENTATIVES LAFLEUR AND CAZAYOUX
AN ACT

To amend and reenact R.S. 42:1157(A)(4) and to enact R.S. 42:1114.2, relative to ethics; to require the disclosure of certain expenditures of certain persons having or seeking certain relationships with a state or statewide public retirement system; to provide for enforcement; to provide for penalties; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1313—
BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S. 33:9033.4, relative to special districts; to create the City of Bastrop Special District; to provide for the powers and duties of the district, including the power to engage in tax increment financing; to provide for the governance of the district; to provide for the boundaries of the district; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1436—
BY REPRESENTATIVES BRUNEAU, DEWITT, AND THOMPSON
AN ACT

To amend and reenact R.S. 42:1102(2)(a)(ii) and (iii), relative to the definition of agency for purposes of the Code of Governmental Ethics; to provide for the definition of agency for public servants in the office of the governor; to provide for the definition of the agency of public servants in the office of the lieutenant governor; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1454—

BY REPRESENTATIVE KENNEY
AN ACT

To enact R.S. 33:4712.10, relative to naming a welcoming center; to authorize the municipal governing authority in certain municipalities to name a welcoming center in honor of a legislator; to provide limitations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1474—

BY REPRESENTATIVES DOVE AND BALDONE
AN ACT

To amend and reenact R.S. 17:3351(A)(5)(b)(iii), to provide relative to tuition and mandatory attendance fee amounts established by the Board of Supervisors of Community and Technical Colleges and applicable to students enrolled in certain technical community colleges under the board's supervision and management; to provide limitations; to require certain reports; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 1480—

BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 9:1254, relative to certain enclosed estates; to provide for the right and servitude of passage on certain waterways; to provide for alternate waterways; to provide for applicability; to provide for clarification of existing law; to provide for application; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 1483—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1485—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2004-2005; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1531—

BY REPRESENTATIVE M. GUILLORY
AN ACT

To amend and reenact R.S. 32:381(A), relative to the height of vehicles; to increase the maximum allowable height of vehicles; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1550—

BY REPRESENTATIVE HEATON
AN ACT

To enact R.S. 32:403.5, relative to drivers' licenses; to provide for the issuance of drivers' licenses to persons using bioptic telescopic lenses; to provide conditions and limitations for licensing; to provide driving restrictions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1702 (Substitute for House Bill No. 923 by Representative Hebert)—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:3074(A), (B), and (D) and 3091(A) and to repeal R.S. 22:3072(D), relative to health insurance; to revise provisions for licensure and examinations of medical necessity review organizations; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

NATURAL RESOURCES

Senator Malone, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

May 13, 2004

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

SENATE BILL NO. 253—

BY SENATOR B. GAUTREAUX
AN ACT

To amend and reenact R.S. 56:103(B) and (C)(1), 104(A)(3) and (4), and 140(A); relative to nongame quadrupeds; to include bobcats in the open season for taking nongame quadrupeds; and to provide for related matters.

Reported favorably

SENATE BILL NO. 767—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 41:1702(J), relative to certain waters; to provide relative to uses of the water bottom of Lake Pontchartrain; to provide certain terms, conditions, and requirements; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 601—

BY REPRESENTATIVE BALDONE AND SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 56:323(B) and (C) and 500(B), relative to taking of shrimp; to provide possession limits for bait shrimp; to provide relative to gear size limits for recreational taking of shrimp; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 602—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 56:497(B)(2) and (C)(1), relative to saltwater shrimp; to provide relative to the methods of taking bait shrimp; to provide relative to a bait dealer's permit; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 603—

BY REPRESENTATIVES PIERRE AND ST. GERMAIN AND SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 56:8(84), 305(B)(17) and (G), 323(A), and 491(1) and to enact R.S. 56:305(B)(18) and 501, relative to commercial shrimping; to authorize commercial taking of freshwater shrimp in certain waters; to provide relative to nets and other conditions on such taking; to provide for a gear license and the fee therefor; to provide for the authority of the Wildlife and Fisheries Commission regarding freshwater commercial shrimping, including the authority to authorize such shrimping in additional locations; to provide penalties for violations; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 695—

BY REPRESENTATIVE JACK SMITH

AN ACT

To enact Subpart C of Part V of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:291, relative to management of wild animals; to prohibit the intentional feeding of bears in the wild; to provide for penalties; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 733—

BY REPRESENTATIVE JACK SMITH AND SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 56:6(31), relative to the powers of the Wildlife and Fisheries Commission; to authorize the commission to adopt regulations for the use of yo-yo or trigger device fishing gear upon the request of the department, a lake commission, fish and game commission, or watershed district; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 1317—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 36:605(B)(8) and R.S. 43:31(A)(6), relative to the powers and duties of the secretary of the Department of Wildlife and Fisheries; authorizes the secretary to print certain materials to promote the recreational resources and programs of the department; to authorize printing of certain interdepartmental and intradepartmental communications; and to provide for related matters.

Reported favorably

Respectfully submitted,
MAX T. MALONE
Chairman

D.A. "BUTCH" GAUTREAUX
Vice Chairman

REPORT OF COMMITTEE ON

EDUCATION

Senator Ullo, Chairman on behalf of the Committee on Education, submitted the following report:

May 13, 2004

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

SENATE BILL NO. 425—

BY SENATOR JONES

AN ACT

To enact R.S. 17:2118, relative to institutions of learning in general; to require that the establishment and maintenance of a public education system be accomplished free from certain discrimination; to prohibit the appropriation of or expenditure of public funding which discriminates directly or effectively against any person in violation of such requirement; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 13—
BY REPRESENTATIVES MORRELL, HONEY, AND HUDSON
A CONCURRENT RESOLUTION

To urge and request the United States Congress to provide sufficient funding for full implementation of the "No Child Left Behind Act" of 2001.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 20—
BY REPRESENTATIVES FANNIN, ALEXANDER, BADON, CROWE, DOWNS, FUTRELL, HONEY, HUDSON, T. POWELL, JANE SMITH, AND TRAHAN
A CONCURRENT RESOLUTION

To memorialize the United States Congress to support an amendment to the proposed federal budget for Fiscal Year 2005 to fully fund the No Child Left Behind Act of 2001.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 23—
BY REPRESENTATIVES LAFLEUR AND TRAHAN
A CONCURRENT RESOLUTION

To memorialize congress to take appropriate action to expedite the approval process necessary for foreign teachers to teach in the state's French immersion program.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 24—
BY REPRESENTATIVES LAFLEUR AND TRAHAN
A CONCURRENT RESOLUTION

To continue the existence of the Louisiana Commission on French, created in 2001, to assess the condition of the French language in Louisiana.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 53—
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To urge and request the chancellor of each community college under the management and supervision of the Board of Supervisors of Community and Technical Colleges to establish a rapid response team for his or her respective college in order to efficiently and effectively respond to the needs of business and industry by providing a highly skilled labor force.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 77—
BY REPRESENTATIVES GALLOT, ALEXANDER, BADON, CRANE, DOWNS, FANNIN, FUTRELL, HONEY, HUDSON, KENNEY, T. POWELL, M. POWELL, RITCHIE, JANE SMITH, AND TRAHAN
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study cost issues relative to the implementation of the No Child Left Behind Act of 2001, and to determine any potential costs associated with changing the state's school and district accountability system to comply with the act and, should the state not comply with the act, any potential loss of federal funding.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 83—
BY REPRESENTATIVE CROWE
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to further study issues relative to school entrance age requirements as specified in House Concurrent Resolution No. 196 of the 2003 Regular Session, including but not limited to the advantages and disadvantages of requiring that children be six years old prior to September thirtieth to enter the first grade and to submit a written report of its findings and recommendations to the House Committee on Education and the Senate Committee on Education by not later than December 15, 2004.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 88—
BY REPRESENTATIVES JANE SMITH, BADON, CROWE, DOWNS, FANNIN, FUTRELL, HONEY, HUDSON, M. POWELL, T. POWELL, AND RITCHIE
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to revise Louisiana's definition of "highly qualified" teacher that was developed and adopted by the board as required by the federal No Child Left Behind Act, to be similar to such definitions established in the states of Ohio and Arkansas and to submit a written report on the status of such revision to the House Committee on Education and the Senate Committee on Education by not later than June 1, 2004.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 91—
BY REPRESENTATIVE CRANE
A CONCURRENT RESOLUTION

To continue the existence of the Commission on Best Practices in School Discipline, created in 2003 to study and establish a compendium of best practices at the state, district, school, and classroom levels that may be utilized by every teacher, administrator, and superintendent in the state for improving discipline in the classroom.

Reported favorably.

HOUSE BILL NO. 219—
BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 17:85.5, relative to naming a football stadium; to authorize the parish school board in certain parishes to name a football stadium in honor of a school board member; to provide limitations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1044—
BY REPRESENTATIVE MURRAY
AN ACT

To repeal R.S. 17:335 and 349.2, relative to operations and control of schools; to repeal antiquated and unconstitutional provisions relative to the operation and control of certain schools.

Reported favorably.

Respectfully submitted,

CHRIS ULLO
Chairman

REPORT OF COMMITTEE ON**LOCAL AND MUNICIPAL AFFAIRS**

Senator Fields, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:
May 13, 2004

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

**SENATE CONCURRENT RESOLUTION NO. 35—
BY SENATOR FIELDS****A CONCURRENT RESOLUTION**

To urge and request the East Baton Rouge Parish School Board to direct all school system employees to follow all state laws and rules and school board policies governing assignment of bus routes and requirements for in-service training of school bus operators.

Reported with amendments.

**SENATE BILL NO. 142—
BY SENATOR BOISSIERE****AN ACT**

To amend and reenact R.S. 33:4094.1(C), relative to the city of New Orleans; to extend the authorization for a voter-approved drainage tax within the city; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 785—
BY SENATOR JONES****AN ACT**

To enact R.S. 17:3226(D) and 3228(D), relative to the authority of the Board of Regents to establish learning centers; to authorize the Board of Regents to establish the Northeast Louisiana Delta Learning Center; to provide for the management, and supervision of the learning center; to authorize the establishment of a commission and advisory council; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 788—
BY SENATOR DUPLESSIS****AN ACT**

To amend and reenact R.S. 47:322.38(A)(1) and to enact R.S. 47:322.38(E), relative to the state sales and use tax on hotel occupancy levied in Orleans Parish; to revise the dedication of a portion of the avails of the tax; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 855—
BY SENATOR BAJOE****AN ACT**

To amend and reenact R.S. 25:841, 842, and 844 and to enact R.S. 25:845 and 846 and R.S. 36:209(Z) and 919.7, relative to the Louisiana Civil Rights Museum; to establish and provide for the Louisiana Civil Rights Museum Board; to provide for the membership, powers, duties, and functions of the board; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CLEO FIELDS
Chairman

REPORT OF COMMITTEE ON**TRANSPORTATION, HIGHWAYS, AND
PUBLIC WORKS**

Senator Ellington, Chairman on behalf of the Committee on Transportation, Highways, and Public Works, submitted the following report:

May 13, 2004

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways, and Public Works to submit the following report:

**SENATE BILL NO. 852—
BY SENATOR CHAISSON****AN ACT**

To amend and reenact R.S. 14:98 (C)(1), R.S. 32:190(A), and 430(L) and to enact R.S. 32: 295.1(I) and 413.1 and Code of Criminal Procedure Art. 894 (D)(3), relative to driving privileges; to provide for driver's license suspension in certain cases; to require any person to wear a helmet when operating certain motorized vehicles; to provide for a driver violation point system for young drivers; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 7—
BY REPRESENTATIVES STRAIN, ERDEY, AND DANIEL
AN ACT**

To name a portion of U.S. Highway 190 from the Mississippi River in East Baton Rouge Parish to the Louisiana-Mississippi state line the Ronald Reagan Highway; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 64—
BY REPRESENTATIVE JOHNS
AN ACT**

To amend and reenact R.S. 34:2101(A)(introductory paragraph), 2102(B), and 2103(introductory paragraph), relative to the West Calcasieu Port, Harbor, and Terminal District; to provide

relative to the name of the district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 333—

BY REPRESENTATIVES SMILEY AND THOMPSON
AN ACT

To amend and reenact R.S. 48:274.1(B), relative to specific information logo signs; to require the Department of Transportation and Development to include "RV friendly" markers within the logo sign program; to authorize certain business establishments to include "RV friendly" markers on their logo signs; to provide relative to the design and issuance criteria for "RV friendly" markers; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 628—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 47:820.2(B)(1)(a), relative to the Transportation Infrastructure Model for Economic Development Program; to provide relative to certain project descriptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 631—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To repeal R.S. 48:35(E), relative to the Department of Transportation and Development general powers, duties, and functions; to repeal provisions requiring the Department of Transportation and Development to adopt rules for minimum safety standards for reflective work-site materials.

Reported favorably.

HOUSE BILL NO. 634—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 36:801(introductory paragraph), relative to the Louisiana Transportation Authority; to provide relative to placement of the authority within the Department of Transportation and Development; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 636—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 36:508.3(A) and R.S. 38:84, relative to office of public works and intermodal transportation in the Department of Transportation and Development; to provide that the office is responsible for state administration of the National Flood Insurance Program; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 638—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 48:461.27, relative to outdoor advertising devices; to provide for permits for outdoor advertising devices in forestry management areas; to provide relative to applications for permits; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1067—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 32:5, relative to the Louisiana Highway Regulatory Act; to authorize parade marshals to direct, control, and regulate traffic along or near parade routes in Lake Charles and Calcasieu Parish; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1102—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 34:3474(B)(1), relative to the Millennium Port Authority; to provide relative to membership on the board of commissioners; to authorize certain commissioners to appoint designees to serve on the board; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 23—

BY SENATOR MOUNT
AN ACT

To amend and reenact R.S. 4:144, relative to the Louisiana State Racing Commission; to increase the at-large membership of the commission; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No.23 by Senator Mount

AMENDMENT NO. 1

On page 1, line 15, change "**three**" to "**four**"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 74—
BY SENATOR HINES

AN ACT

To enact R.S. 37:1285(A)(32) and Part XIX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.36 through 1299.36.6, all relative to human cloning; to prohibit the expenditure of state funds for the purpose of human cloning; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. On motion of Senator McPherson, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 124—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 39:1593.1(A), relative to group purchasing contracts of the Louisiana State University Health Sciences Center; to require certain Louisiana distributors be included in certain group purchasing contracts; to provide for exclusion; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 124 by Senator Michot

AMENDMENT NO. 1

On page 2, line 12, delete "procedural" and insert "substantive" and after "apply" insert "prospectively"

AMENDMENT NO. 2

On page 2, lines 14 and 15, delete ", notwithstanding the date of such contract"

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 367—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 33:2011(B), relative to health insurance; to provide with respect to the fire department; to provide for the classification of certain types of cancer as occupational diseases or infirmities connected with the duties of a firefighter; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. On motion of Senator McPherson, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 387—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 37:935, relative to the practice of registered nursing; to provide authority for registered nurses to administer analgesic doses of anesthetic agents; to provide for the delegation of this authority to licensed practical nurses under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 387 by Senator McPherson

AMENDMENT NO. 1

On page 1, delete lines 10 through 12 and insert the following:

"A. Notwithstanding any other provision in this Chapter to the contrary, a registered nurse may administer, in accordance with an order of an authorized prescriber, anesthetic agents to intubated patients in critical care settings, and may titrate and continue infusion of local anesthetic agents through the use of epidural catheters for pain management, excluding obstetric patients, in accordance with rules and regulations promulgated by the Louisiana State Board of Nursing, in accordance with the Administrative Procedure Act."

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 408—

BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 36:251(C)(1) and to enact R.S. 36:258(J), relative to the Department of Health and Hospitals; to create the office of women's health within the department; to specify the purpose and functions of the office of women's health; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 408 by Senator Bajoie

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 through 17 in their entirety and insert in lieu thereof the following:

"enact R.S. 36: 259(II) and 919.7 and Part LXI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.231 through 1300.233, relative to women's health; to create the Women's Health Commission; to provide for the membership, filling of vacancies, meetings, compensation, domicile,

election of officers, powers and duties, and termination; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:259(II) and 919.7 are hereby enacted to read as follows:

§259. Transfer of agencies and functions to Department of Health and Hospitals

* * *

R.S. 36:259(II) is all proposed new law.

II. The Women's Health Commission (R.S. 40:1300.231 et seq.) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in accordance with R.S. 36:919.7.

* * *

§919.7. Transfer; Women's Health Commission

R.S. 36:919.7 is all proposed new law.

The Women's Health Commission, placed within the Department of Health and Hospitals by the provisions of R.S. 36:259(II), shall exercise and perform its powers, duties, functions, and responsibilities as provided for agencies transferred pursuant to this Chapter.

Section 2. Part LXI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1300.231 through 1300.233, is hereby enacted to read as follows:

PART LXI. WOMEN'S HEALTH COMMISSION

Part LXI is all proposed new law.

§1300.231. Women's Health Commission; creation; appointment of members; officers; compensation; meetings; domicile

R.S. 40:1300.231 is all proposed new law.

A. The Women's Health Commission, hereinafter referred to as the "commission," is created within the Department of Health and Hospitals.

B.(1) The commission shall consist of the following members:

(a) The secretary of the Department of Health and Hospitals or his designee.

(b) The secretary of the Department of Social Services or her designee.

(c) The executive director of the Office of Women's Policy or her designee.

(d) The assistant secretary of the office of public health, Department of Health and Hospitals, or his designee.

(e) The director of the Office of Women's Services or her designee.

(f) A representative of the Louisiana Medical Association selected by the association.

(g) Four persons appointed by the governor who have actively participated in health issues for women.

(h) One representative of the Louisiana Primary Care Association selected by the association.

(I) One representative of the Women's Health Foundation.

(j) One representative of the New Orleans Medical Association selected by the association.

(k) One representative of the Pelican Dental Association selected by the association.

(l) One representative of the Louisiana State Medical Society selected by the society.

(m) One representative from Xavier University School of Pharmacy to be appointed by the dean of the pharmacy school.

(n) One member of the Louisiana Optometry Association selected by the association.

(o) The president of the Senate or his designee.

(p) The speaker of the House of Representatives or his designee.

(q) One representative of the Senate Select Committee on Women and Children Issues.

(r) The chairman of the Senate Committee on Health and Welfare or his designee, who shall serve as an ex officio member.

(s) The chairman of the House Committee on Health and Welfare or his designee, who shall serve as an ex officio member.

(2) The appointments made pursuant to R.S. 40:1299.181(B)(1)(g) and the selections made pursuant to R.S. 40:1299.181(B)(1)(I), (j), (k), and (l) shall be subject to Senate confirmation.

C. A vacancy shall be filled in the manner of the original appointment.

D. The secretary of the Department of Health and Hospitals shall call the commission to convene for its first meeting not later than October 1, 2004. At the first meeting of the commission, the members shall elect a chairman, vice chairman, and secretary.

E. Legislative members of the commission shall receive the same per diem and travel allowance for attending meetings of the board or any meeting thereof as they receive for attendance at legislative committee meetings during the interim between sessions and from the same source.

F. Nonlegislative members of the commission shall receive no compensation for services rendered in their capacity as a member of the commission.

G. The commission shall be domiciled in Baton Rouge, Louisiana, but may hold public meetings elsewhere in the state.

H. The commission shall meet on the call of the chairman or at the call of a quorum of its membership.

I. The Department of Health and Hospitals shall provide staff assistance to the commission upon the request of the chairman.

§1300.232. Powers and duties

R.S. 40:1300.232 is all proposed new law.

A. The commission shall:

(1) Study issues relating to educating and advocating for women's health. It shall focus on the delivery of and access to health and social services for women in the state.

(2) Identify any gaps in the health and social services delivery system that particularly affect women and their access to health care services.

(3) Study issues relative to affordability, availability, and why such services should be accessed.

(4) Identify wellness and preventive efforts such as the types of critical screening tests (pap smears, mammograms and colorectal cancer detection) women should utilize, as well as factors relative to prevention, management and education about good health.

(5) Study key health conditions, diseases, and causes of death for women.

(6) Identify methods for communities to foster good health, efforts to bolster the economic security of women, to address the discrimination they face, to reduce gun deaths and injuries and to improve the environment in which they live.

(7) Make recommendations to the Department of Health and Hospitals, other appropriate state agencies, and the legislature for improving the delivery of and access to health and social services for women. The recommendations required by this Paragraph shall be submitted in a written report to the House and Senate Committees on Health and Welfare not later than October 1, 2006.

B. The commission may:

(1) Hold public hearings and conduct investigations, if necessary, to fulfill the mandates of R.S. 40:1300.232(A) (1) thru (6).

(2) Subpoena witnesses, papers, records, documents, and all other data sources relevant to women health care issues.

(3) Create committees and subcommittees from its membership as it may deem necessary to accomplish its purposes.

(4) Employ a director and other staff necessary to carry out the provisions of this Part.

§1300.233. Termination

R.S. 40:1300.233 is all proposed new law.

The statutory authority for the Women's Health Commission shall terminate on October 1, 2006."

AMENDMENT NO. 2

On page 2, delete lines 1 through 19 in their entirety

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 472—

BY SENATOR DARDENNE

AN ACT

To enact Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3611 through 3617, and to repeal Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:941 through 1127, and R.S. 42:1119(C)(3), relative to marine pilots; to create the Louisiana River Pilot Commission; to provide for laws regulating such occupation; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 472 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 17 and page 2, line 1, delete "to provide reasonable competition for the provision of pilotage services;"

AMENDMENT NO. 2

On page 2, line 11 change "nineteen" to "thirty-two"

AMENDMENT NO. 3

On page 2, delete lines 18 through 29 and on page 3, delete lines 1 through 4 and insert the following:

"(1) Sixteen representatives of the pilots from a list of nominees, submitted from the Louisiana Pilots Association and which list shall be representative of pilots from each of the ports regulated by this Section.

(2) Sixteen representatives of the interest of the steamship industry from a list of nominees, submitted jointly by the New Orleans Steamship Association, the Mississippi River Maritime Association, the Lake Charles Maritime Association, and the International Freight Forwarders and Custom Brokers Association of New Orleans."

AMENDMENT NO. 4

On page 3, line 29, change "Ten" to "Seventeen"

AMENDMENT NO. 5

On page 5, after line 29, add the following:

"(14) The securing of funding from existing pilotage fees to pay the costs of salaries, equipment, office space, office supplies, and all other necessary expenses for the administration, implementation, and enforcement of this Chapter."

AMENDMENT NO. 6

On page 6, line 1, change "(14)" to "(15)"

AMENDMENT NO. 7

On page 6, delete lines 10 through 12, and insert the following:

"(3) Vessels of United States registry of less than one hundred gross tons arriving from a foreign port."

AMENDMENT NO. 8

On page 6, line 14, change "three" to "one"

AMENDMENT NO. 9

On page 7, deletes lines 4 and 11, and insert the following:

"(4) The Board of River Port Pilot Commissioners and Examiners for the Associated Branch Pilots of the Port of Lake Charles."

On motion of Senator Hollis, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

Motion to Make Special Order

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 472, which was just advanced to a third reading and final passage, Special Order of the Day No. 1 on Wednesday, May 19, 2004 immediately following the Morning Hour.

SENATE BILL NO. 479—

BY SENATOR B. GAUTREUX

AN ACT

To amend and reenact R.S. 42:1119(B)(2)(b)(i), relative to nepotism; to provide that a licensed physician or registered nurse who is an immediate family member of a hospital service district board or authority member may be employed by such hospital service district based on population; to increase the population limits; to provide for recusal; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 479 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 2, line 1, change "**twenty-five**" to "**ten**"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 549—
BY SENATOR IRONS

AN ACT

To enact R.S. 22:215.26, relative to health insurance; to provide for coverage for the treatment of certain medically necessary substance related disorders; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 549 by Senator Irons

AMENDMENT NO. 1

On page 1, line 13, after "plan" delete the remainder of the line and on line 14 delete "authorized by the Department of Insurance,"

AMENDMENT NO. 2

On page 1, line 16 after "disorders" delete the remainder of the line and on line 17 delete "related disorders,"

AMENDMENT NO. 3

On page 2, delete lines 5 through 13 and insert the following:

"B. An insurer shall not establish any rate, term or condition that places a greater financial burden on an insured for access to treatment for a substance use disorder than for access to treatment for a physical health condition. Any deductible or out of pocket limits required under a health insurance plan shall be the same as and concurrent with those for physical health conditions."

AMENDMENT NO. 4

On page 2, line 14 change "D." to "C."

AMENDMENT NO. 5

On page 2, line 18 change "E." to "D."

AMENDMENT NO. 6

On page 2, line 20 change "F." to "E."

On motion of Senator Cain, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 553—
BY SENATOR DUPRE

AN ACT

To enact R.S. 22:1430.18, relative to property insurance; to provide certain requirements for coverage and issuance of property insurance by the Louisiana Citizens Property Insurance Corporation; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 553 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 9, delete "include the following" and delete lines 10 through 15 and insert the following: "provide property insurance pursuant to this Part which shall include any property easily accessible for"

On motion of Senator Cain, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 577—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact the introductory paragraph of R.S. 42:1102(22)(a), relative to the Code of Governmental Ethics; to revise the definition of thing of economic value; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 577 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 12, delete "food;" and delete lines 13 and 14 and on 15, delete "person;" and insert "food, drink, or refreshments consumed by a public servant, including reasonable transportation and entertainment incidental thereto, ~~while the person~~ when the entire membership of a governing authority of a governmental entity or any standing committee, select committee, statutory committee, committee created by resolution, subcommittee of any such committee, or recognized caucus thereof is invited to be the guest of some person,"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 586—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 32:1254(N)(3)(f)(i) and (iv) and to enact R.S. 32:1253.1 and 1254.2, relative to motor vehicles; to authorize the Motor Vehicle Commission to render advisory opinions relative to the distribution and sale of motor vehicles; to provide a procedure for applying to the commission for an advisory opinion and for declaratory orders; to provide relative to sales conditioned on financing; to provide certain requirements for suppliers of mechanical repairs and services for motor vehicles; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 586 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2 after "(N)(3)(f)(i)" delete "and (iv)" and insert ", (iii), and (v)"

AMENDMENT NO. 2

On page 1, line 10 after "(N)(f)(i)" delete "and (iv)" and insert ", (iii), and (v)"

AMENDMENT NO. 3

On page 1, line 16, after "commission," insert "except on any matter that involves any issue and/or dispute between manufacturers or distributors and motor vehicle dealers,"

AMENDMENT NO. 4

On page 1, at the end of line 17 delete "rulings or interpretive" and insert "advisory"

AMENDMENT NO. 5

On page 2, line 28 change "**fourteen**" to "**twenty-five**"

AMENDMENT NO. 6

On page 3, delete lines 2 and 3 and on line 4 delete "other purpose associated with the attempted sale of the vehicle." and insert the following:

"(iii) That there shall be no charge to the purchaser should the conditional sale not be completed, including but not limited to mileage charges or charges to refurbish the vehicle offered for trade-in. However, the purchaser shall be responsible for any damages to the vehicle occurring during the purchaser's custody of the vehicle to the extent provided for in ~~R.S. 22:1406(F)~~ **R.S. 22:681**."

* * *

(v) That the prospective purchaser shall return the vehicle to the dealership within forty-eight hours of notification by the dealer that the conditional sale will not be completed."

AMENDMENT NO. 7

On page 3, line 18 after "shop supplies" insert "such as rags, fender covers, small amounts of fluid, or other items which are not itemized,"

On motion of Senator Hollis, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 621— BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 15:1202(A)(introductory paragraph), 1204.1(A) and (B)(11), R.S. 36:4(A) and 401(B)(2) and (4) and (C)(1), and 405(A)(1)(c), R.S. 39:21.3(D)(1) and (3), and R.S. 46:2602(B)(3); to enact R.S. 11:601.1 and 711, R.S. 15:1202(A)(27), 1228.2(10), and 1228.3(14), and Chapter 4 of Title 36 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 36:151 through 159, and R.S. 39:21.3(D)(2)(f); to repeal R.S. 36:408(H); and to amend certain provisions if and as amended and reenacted by the Act which

originated as Senate Bill No. ____ of this 2004 Regular Session of the Legislature, to provide relative to children, youth, and families services; to create and provide for the Department of Children, Youth and Families; to provide for the structure, organization, and functions of the department and its offices; to provide for the powers, duties, functions, and responsibilities of department officers; to provide relative to membership and functions of related boards, commissions, and like entities; to provide for the transfer of agencies into the department and the powers, duties, function, and responsibilities thereof and of the department officers relative thereto; to provide for implementation; to provide for effective dates; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 621 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 6, change "159" to 158"

AMENDMENT NO. 2

On page 1, line 8, change "Senate Bill No. ____" to "House Bill No. 1276"

AMENDMENT NO. 3

On page 2, line 5, change "159" to 158"

AMENDMENT NO. 4

On page 3, delete lines 22 through 29 and insert the following:

"B. The Department of Children, Youth and Families, through its office and officers, shall be initially responsible for administering and supervising the functions of the office of youth development, while, at the same time, transforming and restructuring the Office into a new system of service delivery characterized by the following principles:

(1) the restructuring of secured detention from a punitive correctional model consisting of large facilities operating within a prison culture to a model having smaller rehabilitative facilities that are closer to the families and the communities of the youth in custody;

(2) the use of more efficient and less expensive graduated sanctions, whenever and wherever possible, as an alternative to secured detention;

(3) the transfer of the savings from the reduction in secured detention to graduated sanctions and to preventative and early intervention services;

(4) the establishment of an integrated continuum of community-based services for children, youth and families;

(5) the elimination of duplicative management and programmatic services within the office and throughout the department;

(6) the establishment of a culture of rehabilitation and restorative justice within the office and throughout the department.

C (1). The Department of Children, Youth, and Families, with the assistance and guidance of the Children's Cabinet, shall also be responsible for the development of a detailed, phased, and time-

certain plan for transferring additional functions of state government to the department and for merging and consolidating their functions as a means of:

(a) creating a more integrated, comprehensive, accessible, and efficient system of service delivery for children, youth and families who are or may be affected by abuse and neglect, pre-delinquent behavior, traffic offenses, delinquency, mental illness, substance abuse, domestic violence, educational deficiencies, or other serious problematic behaviors;

(b) ensuring greater communication, coordination, and collaboration among the functions involved in the new service delivery system;

(c) shifting state funding to community-based services whenever and wherever appropriate;

(d) leveraging local governmental and local private resources for more rapid development and maintenance of the continuum of needed services; and making local governments and the private sector genuine partners in the process of improving the lives of children, youth, and families;

(e) eliminating duplicative management and programmatic services through the merger, consolidation, and transfer of functions in order to transfer the savings therefrom to more direct treatment services for children, youth, and families.

(2) Such plan shall be submitted by the Department to the governor and the legislature for consideration at the FY 2005-2006 Fiscal Session of the legislature or earlier in the event of a special session.

D.(1) The Department of Children, Youth and Families shall be composed of the executive office of the secretary, the office of management and budget, the office of youth development, and such other offices as shall be created later by law."

AMENDMENT NO. 5

On page 4, delete lines 1 through 4

AMENDMENT NO. 6

On page 4, delete lines 11 through 13 and insert the following:

"A. The officers of the department shall be initially the secretary and an undersecretary. A deputy secretary and assistant secretaries may be appointed but only in accordance with an administrative plan to be submitted by the secretary as part of his plan for merger, consolidation, and transfer of functions to be submitted to the governor and the legislature for consideration in the Fiscal Session of FY 2005-2006 or earlier in the event of a special session."

AMENDMENT NO. 7

On page 9, delete lines 21 through 29

AMENDMENT NO. 8

On page 10, delete lines 1 through 11

AMENDMENT NO. 9

On page 10, line 12, change "\$158" to "\$157"

AMENDMENT NO. 10

On page 10, delete lines 14 and 15 and insert the following:

"A.(1) The purposes for which the offices and functions of the Department of Children, Youth and Families are created shall be set forth in this Section.

(2) All offices and functions in the Department of Children, Youth and Families shall operate in accordance with the following principles:

(a) Children and families have multiple needs that are best met in a comprehensive, coordinated and flexible manner.

(b) Programs and services should be family-focused.

(c) Investment strategies should balance the emphasis on prevention and remediation in order to minimize problems before they become crises.

(d) Decision making authority should reside at the community level, specifically as it relates to the organization and delivery of services.

(e) Those who serve families with children should be accountable for improving outcomes for their clients and their communities."

AMENDMENT NO. 11

On page 11, line 29, change "\$159" to "\$158"

AMENDMENT NO. 12

On page 13, line 29, change "____" to "621"

AMENDMENT NO. 13

On page 14, lines 19 and 23, change "____" to "621"

AMENDMENT NO. 14

On page 17, lines 4 and 5, change "Senate Bill No. ____" to "House Bill No. 1276"

AMENDMENT NO. 15

On page 22, line 10, change "Senate Bill No. ____" to "House Bill No. 1276"

AMENDMENT NO. 16

On page 23, line 16, change "Senate Bill No. ____" to "House Bill No. 1276"

AMENDMENT NO. 17

On page 24, lines 1, 12 and 14, change "Senate Bill No. ____" to "House Bill No. 1276"

AMENDMENT NO. 18

On page 28, line 22, change "____" to "325"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 676— BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 38:2212.3, relative to public contracts; to provide for bids; rejecting all bids domiciled outside the United States; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Jones, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 691—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 46:153.3(D)(2)(c) through (s) and to enact R.S. 46:153.3(D)(2)(t), relative to the Medicaid Pharmaceutical and Therapeutics Committee; to provide for changes with respect to who shall be appointed to the committee; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 691 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 2 after "reenact" insert "the introductory paragraph of R.S. 46:153.5 (D)(2) and "and on lines 2 and 3, delete "and to enact R.S. 46:153.3(D)(2)(t)"

AMENDMENT NO. 2

On page 1, line 7 after "Section 1." insert "The introductory paragraph of R.S. 46:153.5 (D)(2) and" on lines 7 and 8, delete "and R.S. 46:153.3(D)(2)(t) is enacted"

AMENDMENT NO. 3

On page 1, line 14, after "(2)" insert "**Each nominating organization shall certify by affidavit that the practice of each nominee involves either the care of or the supervision of the care of no less than one hundred fifty Medicaid recipients.**"

AMENDMENT NO. 4

On page 1, line 17, delete "**with no less than twenty-five percent of the practice being**"

AMENDMENT NO. 5

On page 2, line 1, delete "**Medicaid patients**"

AMENDMENT NO. 6

On page 2, lines 4 and 5, delete "**with no less than twenty-five percent of the practice being Medicaid patients,**"

AMENDMENT NO. 7

On page 2, lines 8 and 9, delete "**with no less than twenty-five percent of the practice being Medicaid patients,**"

AMENDMENT NO. 8

On page 2, lines 12 and 13, delete "**with no less than twenty-five percent of the practice being Medicaid patients,**"

AMENDMENT NO. 9

On page 2, lines 16 and 17, delete "**with no less than twenty-five percent of the practice being Medicaid patients,**"

AMENDMENT NO. 10

On page 2, delete lines 19 through 22 and insert the following:
" (h) Two practicing physicians who are participating in the Title XIX program recommended from a list of six names submitted by the Louisiana Medical Association."

AMENDMENT NO. 11

On page 2, lines 28 and 29, delete "**with no less than twenty-five percent of the practice being Medicaid patients,**"

AMENDMENT NO. 12

On page 3, lines 9 and 10, delete "**with no less than twenty-five percent of the practice being Medicaid patients,**"

AMENDMENT NO. 13

On page 3, delete lines 17 through 20.

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 702—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 43:19, 24(B) and (C), and 87(A) and to enact R.S. 43:19.1, relative to official journals; to provide that certain requirements for publication in such journals shall not apply if such publications are accessible on the official Internet web site or portal of the Louisiana State Legislature; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 702 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "amend and reenact R.S. 43:19, 24(B) and (C), and 87(A) and to"

AMENDMENT NO. 2

On page 1, line 3, after "to official" delete the remainder of the line and delete line 4 and insert "records; to permit certain records to be made accessible on the official"

AMENDMENT NO. 3

On page 1, on line 8, after "Section 1." delete the remainder of the line

AMENDMENT NO. 4

On page 1, line 9, delete "and" and change "amended" to "enacted"

AMENDMENT NO. 5

On page 1, delete lines 10 through 17 and on page 2, delete lines 1 and 2

AMENDMENT NO. 6

On page 2, line 3, after "web site" delete the remainder of the line

AMENDMENT NO. 7

On page 2, line 5, delete "requirement to"

AMENDMENT NO. 8

On page 2, line 6, delete "publish any"

AMENDMENT NO. 9

On page 2, delete line 8 and insert "in this Title may be made accessible on the"

AMENDMENT NO. 10

On page 2, delete lines 10 through 29 and on page 3, delete lines 1 through 17

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 716—
BY SENATOR HAINKEL

AN ACT

To enact R.S. 1:58.3, relative to state holidays; to establish Ronald Reagan Day as an annual observance; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Jones, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 723—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 42:1113(A) and to enact 42:1112(E), relative to hospital service districts; to provide with respect to participation in certain transactions and prohibited contractual arrangements for physicians appointed to boards of hospital service districts; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No.723 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 17, after "therefore." insert "However, notwithstanding any other law to the contrary, such physician member shall recuse himself from participating in any transaction involving a lease agreement to which he is permitted by this Subsection to be a party."

AMENDMENT NO. 2

On page 2, line 13, after "**therefore.**" insert "However, notwithstanding any other law to the contrary, such physician member shall recuse himself from participating in any transaction involving a lease agreement to which he is permitted by this Subsection to be a party."

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 844—

BY SENATOR FONTENOT

AN ACT

To enact R.S. 42:851.1, relative to health insurance; to authorize reimbursement to public officials for certain health insurance premiums; and to provide for related matters.

Reported favorably by the Committee on Insurance. On motion of Senator Cain, the bill was read by title, ordered engrossed, and passed to a third reading.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 20—

BY REPRESENTATIVES SHEPHERD, ALARIO, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR, BROOME, BRUCE, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CROWE, CURTIS, DANIEL, DARTEZ, DOERGE, DORSEY, DURAND, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, HUNTER, JACKSON, JEFFERSON, JOHNS, LAFLEUR, MARCHAND, MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, JACK SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, WALKER, AND WINSTON AND SENATORS ADLEY, BAJOE, BOISSIERE, CRAVINS, DUPLESSIS, IRONS, AND JACKSON

AN ACT

To amend and reenact R.S. 1:55(B)(1)(a) and (2), relative to legal holidays observed by the departments of the state; to provide that Dr. Martin Luther King, Jr.'s birthday shall be a state legal holiday; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 332—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:1087(B)(1) and (C), relative to the residential mortgage lenders; to provide for an exemption from licensure and continuing education requirements for employees and exclusive agents of direct or indirect subsidiaries of holding companies; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 698—

BY REPRESENTATIVES JOHNS AND KATZ

AN ACT

To amend and reenact R.S. 37:1212 and to enact R.S. 37:1182(B)(8), relative to the practice of pharmacy; to provide for powers of the board; to provide relative to pharmacy technicians; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 704—

BY REPRESENTATIVES BRUNEAU AND MURRAY

AN ACT

To amend and reenact R.S. 37:848(D)(2) and (3) and to enact R.S. 37:848(D)(7), relative to embalming; to allow for refrigeration of remains by funeral establishments; to provide an exception from embalming; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 764—

BY REPRESENTATIVES BRUNEAU AND MURRAY

AN ACT

To amend and reenact R.S. 37:845 and 875, relative to fees imposed by the Louisiana State Board of Embalmers and Funeral Directors; to increase fees for licensure; to add fees for work permits; to add fees for inspections; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1015—

BY REPRESENTATIVES LANCASTER, BROOME, HAMMETT, SALTER, AND THOMPSON

AN ACT

To amend and reenact R.S. 24:56 and 56.1 and to enact R.S. 18:1505.2(Q), (R), and (S) relative to campaign finance; to prohibit certain persons from accepting certain campaign contributions during certain legislative sessions; to prohibit the governor from accepting certain campaign contributions during certain legislative sessions and for a certain time period thereafter; to prohibit statewide elected officials and public service commissioners from receiving campaign contributions during certain legislative sessions; to prohibit a legislator from accepting certain campaign contributions during certain legislative sessions; to prohibit a legislator from soliciting certain campaign contributions during certain legislative sessions; to prohibit the offer or providing of certain campaign contributions to a legislator during certain legislative sessions; to provide relative to notice of certain fundraising functions; to provide for penalties and enforcement; to provide exceptions; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 1015 by Representative Lancaster

AMENDMENT NO. 1

On page 1, line 2, after "(Q)" delete the remainder of the line and insert "and (R)."

AMENDMENT NO. 2

On page 1, line 6, after "thereafter;" delete the remainder of the line and delete line 7 and on line 8, delete "legislative sessions;"

AMENDMENT NO. 3

On page 1, line 16, change ",(R), and (S)" to "and (R)"

AMENDMENT NO. 4

On page 2, line 17, after "(4)(a)" and before "The" insert "(i)"

AMENDMENT NO. 5

On page 2, between lines 19 and 20, insert the following:

"(ii) The provisions of this Subsection shall not prohibit a legislator from obtaining a loan for his own campaign from a state bank, a federally chartered depository institution, or a depository institution the deposits or accounts of which are insured by the Federal Deposit Insurance Corporation, Federal Savings and Loan Insurance Corporation, or the Federal Credit Union Administration, any licensed lender under the Louisiana Consumer Law, or an insurance company, made in accordance with applicable law and in the ordinary course of business, provided that the legislator is the sole endorser or guarantor of the loan and that the loan is made on a basis which assures repayment evidenced by a written instrument, is subject to a due date or amortization schedule, and bears the usual and customary interest rate of the lending institution."

AMENDMENT NO. 6

On page 2, line 26, after "legislature," insert "However, any contribution, loan, or transfer of funds or in-kind contribution accepted for use in a campaign to which the restrictions of Paragraphs (Q)(1), (2), and (3) are made not applicable by this Subparagraph which remain unexpended or unencumbered for use in such campaign shall be returned if the legislator runs for an office to which such restrictions apply; however, nothing shall prohibit any contribution, transfer of funds, or in-kind contribution being used to reduce the balance of or pay off a loan made the proceeds of which were used in furtherance of seeking such office."

AMENDMENT NO. 7

On page 2, between lines 26 and 27, insert the following:

"(5) The provisions of Paragraphs (Q)(1), (2), (3), and (4) shall not apply during a regular session of the legislature occurring in the year of the regular gubernatorial election."

AMENDMENT NO. 8

On page 3, line 16, after "(4)(a)" and before "The" insert "(i)"

AMENDMENT NO. 9

On page 3, between lines 18 and 19, insert the following:

"(ii) The provisions of this Subsection shall not prohibit the governor from obtaining a loan for his own campaign from a state bank, a federally chartered depository institution, or a depository institution the deposits or accounts of which are insured by the Federal Deposit Insurance Corporation, Federal Savings and Loan Insurance Corporation, or the Federal Credit Union Administration, any licensed lender under the Louisiana Consumer Law, or an insurance company, made in accordance with applicable law and in

the ordinary course of business, provided that the governor is the sole endorser or guarantor of the loan and that the loan is made on a basis which assures repayment evidenced by a written instrument, is subject to a due date or amortization schedule, and bears the usual and customary interest rate of the lending institution."

AMENDMENT NO. 10

On page 3, line 24, after "governor," insert "However, any contribution, loan, or transfer of funds or in-kind contribution accepted for use in a campaign to which the restrictions of Paragraphs (R)(1), (2), and (3) are made not applicable by this Subparagraph which remain unexpended or unencumbered for use in such campaign shall be returned if the governor runs for governor; however, nothing shall prohibit any contribution, transfer of funds, or in-kind contribution being used to reduce the balance of or pay off a loan made the proceeds of which were used in furtherance of seeking such office."

AMENDMENT NO. 11

On page 3, between lines 24 and 25, insert the following:
"(5) The provisions of Paragraphs (R)(1), (2), (3), and (4) shall not apply during a regular session of the legislature occurring in the year of the regular gubernatorial election."

AMENDMENT NO. 12

On page 3, delete lines 25 through 29 and on page 4, delete lines 1 through 27

AMENDMENT NO. 13

On page 6, delete lines 12 through 28 and on page 7, delete lines 1 and 2

On motion of Senator Jones, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1363—

BY REPRESENTATIVES WINSTON, MARTINY, BURNS, R. CARTER, DOERGE, DURAND, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HUNTER, KATZ, LABRUZZO, MARCHAND, MCDONALD, MONTGOMERY, STRAIN, WADDELL, WALKER, SCHNEIDER, AND THOMPSON AND SENATORS MOUNT, CRAVINS, JONES, AND LENTINI

AN ACT

To amend and reenact R.S. 46:1941.1, 1941.2, 1941.5, and 1941.8 and to repeal R.S. 46:1941.3(1), 1941.4, 1941.6, 1941.7, 1941.9 through 1941.13, relative to youth services; to provide for the creation of youth services planning boards; to provide for the purpose of such boards; to provide with respect to membership; to repeal provisions of law providing for parish youth services programs; to repeal provisions providing for parish youth services subsidy program; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 1363 by Representative Winston

AMENDMENT NO. 1

On page 1, line 4, after "creation of" delete "youth services" and insert "children and youth"

AMENDMENT NO. 2

On page 1, delete line 12, and insert: "**PART III. PARISH CHILDREN AND YOUTH SERVICES PROGRAMS**"

AMENDMENT NO. 3

On page 1, line 14, delete "~~Parish~~ Youth Services" and insert "Children and Youth Services"

AMENDMENT NO. 4

On page 1, line 16, after "Purpose" insert "the role of Children's Cabinet"

AMENDMENT NO. 5

On page 1, delete lines 17 and 18 and on page 2, delete lines 1 through 15 and insert the following:

"For the purposes of encouraging positive youth development, diversion of youth from the criminal justice system, reduction in commitments of youth to state institutions, promoting efficiency and economy in the delivery of youth services, and providing community response to the growing rate of juvenile delinquency, the legislature authorizes a program of state subsidies to assist parishes, on a voluntary basis, in the development, implementation, and operation of comprehensive, community-based youth service programs. These programs may include, but are not limited to, diversion, alternatives to home displacement, alternatives to incarceration, and coordination of youth services at the parish level:

A. The purpose of the children and youth planning boards is to assist in the assessment, alignment, coordination, prioritization, and measurement of all available services and programs that address the needs of children and youth. This includes children and youth at risk for, or identified with, social, emotional, or developmental problems, including, but not limited to educational failure, abuse, neglect, exposure to violence, juvenile or parental mental illness, juvenile or parental substance abuse, poverty, developmental disabilities and delinquency. The boards are intended to encourage collaborative efforts among local stakeholders for assessing the physical, social, behavioral, and educational needs of children and youth in their respective communities and for assisting in the development of comprehensive plans to address such needs. The infrastructure for planning is intended to be data-driven in order to select appropriate evidence-based programs which will maximize available resources.

B. The legislature authorizes the establishment of children and youth planning boards to assist in the development, implementation, and operation of services which encourage positive development, diversion of children and youth from the criminal justice and the foster care system, reduction in the commitments of youth to state institutions, and providing community response to the growing rate of juvenile delinquency. The coordination and implementation of services shall include, but are not limited to prevention, early intervention, diversion, alternatives to home displacement, alternatives to incarceration, and treatment services. Through such boards, the state intends to foster and promote a continuum of community-based services and systems reflecting service integration at the state and community or local levels.

C. The role of the Children's Cabinet shall be to facilitate the creation of children and youth planning boards by offering guidance

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and technical assistance to local communities and governing authorities including, but not limited to resource identification, needs assessments, monitoring and performance evaluation, strategic planning and other forms of assistance and support."

AMENDMENT NO. 6

On page 2, delete lines 18 through 24, and insert the following:

"A. One or more contiguous parishes may qualify for funds as provided by R.S. 46:1941.2 by the enactment of appropriate resolutions that include creating and establishing a youth services advisory board, providing for the preparation of a comprehensive plan for the development, implementation, and operation of those youth services, and agreeing to provide the local share of funding."

"There shall be a children and youth planning board created and established in each judicial district by enactment of appropriate resolutions by the governing authority of each parish in that district. The board shall provide for the preparation of a comprehensive plan for the development, implementation, and operation of services for children and youth. Nothing herein shall mandate a parish governing authority to fund the operational expenses of the board."

AMENDMENT NO. 7

On page 3, delete line 5 and insert "§1941.8. Children and Youth services advisory planning board; members; duties"

AMENDMENT NO. 8

On page 3, delete lines 6 through 29, delete page 4 and on page 5, delete lines 1 through 6 and insert the following:

"A. Each youth services advisory board shall consist of at least eighteen but not more than twenty members who, if available and willing to serve, shall be representative of law enforcement, prosecutors, the judiciary, public education, corrections, ethnic minorities, the social services, and the lay citizen. At least three members of the board shall be eighteen years of age or younger."

— B. The parish governing authority shall make the appointments for a period of two years. In the case of regional participation, cooperating parish governing authorities may formulate a plan of representation and may add one representative to the board from each participating parish."

— C. If the parish governing authority authorizes a single private, nonprofit organization to participate in the subsidy program, its advisory board makeup shall follow the guidelines established in this Section."

D. The Youth Services Advisory Board shall actively participate in the formulation of the comprehensive plan for the development, implementation, and operation of the youth services program and shall make formal recommendation to the parish governing authority or joint parish governing authorities at least annually concerning the comprehensive plan and its implementation during the ensuing year."

— E. All proceedings of the Youth Services Advisory Board and any committee or subgroup shall be subject to the provisions of R.S. 42:4.1 through R.S. 42:10, and all votes taken of members shall be recorded and shall become matters of public record."

— F. The board shall promulgate and implement rules concerning attendance of members at board meetings. The members may also elect their own officers."

A. Each planning board shall consist of a minimum of eleven, but not more than twenty-five members. Special care should be given in the appointments to ensure that the board is representative of the community in terms of gender, age, ethnicity, and geography, as well

as knowledge and expertise. Those appointed shall include the following, if available and willing to serve, but need not be limited to:

(1) Members of the education community that are representative of and knowledgeable about early childhood, elementary, secondary, and special education.

(2) Members of the criminal justice community that are representative of and knowledgeable about law enforcement, prosecution, public defense, and the judiciary. Wherever possible, a member of the judiciary elected to the juvenile court bench should be included.

(3) Members of the health care community that are representative of and knowledgeable about physical health, mental health, and early childhood substance abuse prevention and treatment services.

(4) Members of the social services community that are representative of and knowledgeable about child in need of care services, foster parenting, and child and family support programs.

(5) Members of the faith-based communities.

(6) Members of the business and labor communities.

(7) Members of parenting and youth organizations.

B. The parish governing authority shall make the appointments for a period of two years. In the case of a judicial district which encompasses more than one parish, cooperating parish governing authorities may formulate a plan of representation and may add representatives to the board from each participating parish.

C.(1) The children and youth planning boards shall actively participate in the formulation of a comprehensive plan for the development, implementation, and operation of services for children and youth and make formal recommendations to the parish governing authority or joint parish governing authorities at least annually concerning the comprehensive plan and its implementation during the ensuing year.

(2) In its formulation of the comprehensive plan, the children and youth planning boards shall do all of the following, but shall not be limited to the following:

(a) Identify all resources available to meet the needs of children and youth by comprehensively examining resources and services that target children and youth. These services may include, but are not limited to prevention, early intervention, education, and treatment.

(b) Assess the needs of children and youth in the local community, incorporating reliable data sources.

(c) Develop and select the appropriate evidence-based strategies or programs to meet those needs identified by soliciting community input and developing a strategic plan to best address the needs of children and youth in the respective community. This strategic plan should have measurable goals and objectives and should be evaluated annually to ensure its effectiveness.

(d) Collaborate with schools, law enforcement, judicial system, health care providers, and others to ensure goals and treatment needs are being met.

(e) Ensure effective delivery of prevention programs in the community through training, technical assistance, monitoring, and evaluation to ensure effective outcomes are achieved.

(f) Report annually by October 1 to the office of youth services and the Children's Cabinet the results of such assessments. Performance indicators and benchmarks from the reports will be used for planning at both the state and community levels.

D. All proceedings of the children and youth planning boards and any committee or subgroup thereof, shall be subject to the provisions of R.S. 42:4.1 and 42:10, and all votes taken of members shall be recorded and shall become matters of public record.

E. The boards shall promulgate and implement rules concerning attendance of members at board meetings. The members may also elect their own officers."

On motion of Senator McPherson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1401—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 37:1800(A) and to repeal R.S. 37:1800(D), relative to maturity dates for pawn transactions; to decrease the maturity date for jewelry pledged in all pawnshops; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1424—

BY REPRESENTATIVES BOWLER AND TUCKER
AN ACT

To repeal R.S. 22:1382(A)(3)(d), relative to the Louisiana Insurance Guaranty Association; to provide for refund monies; to delete certain deposit requirements.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Reconsideration

On motion of Senator Hainkel, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, May 12, 2004 was reconsidered.

SENATE BILL NO. 166—

BY SENATORS HAINKEL, ADLEY, BARHAM, ELLINGTON, KOSTELKA, MICHOT, NEVERS, SCHEDLER AND SMITH
A JOINT RESOLUTION

Proposing to add Article XII, Section 15 of the Constitution of Louisiana, relative to marriage; to require that marriage in the state shall consist only of the union of one man and one woman; to provide that the legal incidents of marriage shall be conferred only upon such union; to prohibit the validation or recognition of the legal status of any union of unmarried individuals; to prohibit the recognition of a marriage contracted in another jurisdiction which is not the union of one man and one woman; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

On motion of Senator Hainkel, the bill was read by title and returned to the Calendar, subject to call.

Senate Resolutions on Second Reading Reported by Committees

The following Senate Resolutions reported by Committees were taken up and acted upon as follows:

SENATE RESOLUTION NO. 18—

BY SENATOR LENTINI

A RESOLUTION

To amend and readopt Senate Rule No. 10.9 of the Rules of Order of the Senate, relative to referral of resolutions calling for the election of certain officers of the Senate; and to delete the requirement of referral to committee.

Reported favorably by the Committee on Senate and Governmental Affairs.

The resolution was read by title. On motion of Senator Lentini, the resolution was adopted.

Senate Concurrent Resolutions on Second Reading Reported by Committees

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 95—

BY SENATOR MCPHERSON AND REPRESENTATIVE DURAND
A CONCURRENT RESOLUTION

To establish a framework for permanent regional health care consortiums designed to continue the work begun by the regional summits called by the governor in 2004.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator McPherson moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Barham
Total—2

Romero

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 146—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 9:2801.2, relative to partition of community property; to provide for the valuation of goodwill as an asset in the partition of community property for certain businesses; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Kostelka
Adley	Fields	Lentini
Amedee	Fontenot	Malone
Boasso	Gautreaux, B	Marionneaux
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Heitmeier	Nevers
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Theunissen
Duplessis	Jackson	Ullo
Dupre	Jones	
Total—35		

NAYS

Bajoie
Total—1

ABSENT

Barham	McPherson	Romero
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Irons asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on

Senate Bill No. 146. She voted yea on the bill and had intended to vote nay. She asked that the Official Journal so state.

SENATE BILL NO. 190—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 9:203(E), relative to marriage officiants, judges and justices of the peace; to extend the authority for certain federal judges to preside over a marriage ceremony until December, 2004; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 190 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 6, following "**of**" and before "**court**" change "**the**" to "**a**"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Lentini moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—35		

NAYS

Total—0

ABSENT

Barham	McPherson
Hainkel	Romero
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 226—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 35:12(A), (B), and (D), relative to notaries public; to provide relative to names required on notarial acts; to authorize the use of initials; to provide that such names need not necessarily be Christian names; to authorize the use of stamps for the application of such names; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 226 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 11, after "names" insert "**and surnames**"

AMENDMENT NO. 2

On page 1, line 17, after "name" insert "**or a name in full**"

On motion of Senator Dardenne, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones
Adley	Ellington	Kostelka
Amedee	Fields	Lentini
Bajoie	Fontenot	Malone
Boasso	Gautreaux, B	Marionneaux
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Heitmeier	Nevers
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Theunissen
Duplessis	Jackson	Ullo
Total—36		

NAYS

Total—0

ABSENT

Barham	McPherson	Romero
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Jones in the Chair**SENATE BILL NO. 320—**
BY SENATOR FIELDS

AN ACT

To enact R.S. 13:847(G) and to repeal R.S. 13: 847(E)(1)(c) and (d), R.S. 13:847(F) and R.S. 44:9(A)(3), relative to criminal records; to prohibit the collection of a filing or processing fee for the expungement of criminal records in certain cases; to repeal the authority to collect a filing or processing fee of expungement in certain cases; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Heitmeier	Schedler
Cheek	Holden	Smith
Cravins	Hollis	Theunissen
Dardenne	Irons	Ullo
Duplessis	Jackson	
Total—35		

NAYS

Kostelka
Total—1

ABSENT

Barham	McPherson	Romero
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 330—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 13:964.1(A)(2)(a) and (D) and to enact R.S. 13:964.1(E), relative to courts; to provide relative to the Fourteenth Judicial District Court; to provide relative to the indigent transcript fund for such court; to provide relative to tasks for which court reporters shall be compensated from such fund; to provide with regard to the nature of the compensation paid to court reporters from such fund; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones
Adley	Ellington	Kostelka
Amedee	Fields	Lentini
Bajoie	Fontenot	Malone
Boasso	Gautreaux, B	Marionneaux
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Heitmeier	Nevers
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Theunissen
Duplessis	Jackson	Ullo
Total—36		

NAYS

Total—0

ABSENT

Barham	McPherson	Romero
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Theunissen asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Resolutions
to be Adopted**

The following Senate Resolution to be adopted was taken up and acted upon as follows:

SENATE RESOLUTION NO. 82—

BY SENATORS N. GAUTREAUX AND THEUNISSEN

A RESOLUTION

To commend the Notre Dame High School softball team upon winning the Class 3A state softball championship.

On motion of Senator Theunissen, the resolution was read by title and adopted.

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage, Resumed**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 338—

BY SENATOR ADLEY (By Request)

AN ACT

To amend and reenact R.S. 30:2030(A)(1) and (B) and to enact R.S. 30:2030(D) and (E), relative to environmental quality; to authorize the classification of security sensitive and personal identification information as confidential; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 338 by Senator Adley

AMENDMENT NO. 1

On page 2, line 27, following "information" and before "which" insert "to"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Holden sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Holden to Engrossed Senate Bill No. 338 by Senator Adley

AMENDMENT NO. 1

On page 2, at the end of line 20 insert "**Further, the department shall not withhold any requested information pursuant to a judicial or administrative proceeding.**"

On motion of Senator Holden, the amendments were adopted.

The bill was read by title. Senator Adley moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Kostelka
Adley	Fields	Lentini
Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson
Boissiere	Heitmeier	Michot
Chaisson	Holden	Mount
Cheek	Hollis	Nevers
Dardenne	Irons	Schedler
Duplessis	Jackson	Smith
Dupre	Jones	Theunissen

Total—33

NAYS

Cain Cravins Ullo

Total—3

ABSENT

Barham Hainkel Romero

Total—3

The Chair declared the amended bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 359—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:1299.44(A)(3)(b) and (6)(a), 1299.45(A)(2), and 1299.47(A)(2)(a) and (b) and (C)(3)(f), and to enact R.S. 40:1299.47(A)(1)(g) and (C)(3)(g), (h), (i), and (j), relative to the Louisiana Medical Malpractice Act; to provide with respect to claims covered under the Act; to provide that the patient's compensation fund shall be maintained so as to provide a surplus of thirty percent of the annual surcharge premiums, reserves established for individual claims, reserves established for incurred but not reported claims, and expenses; to provide with respect to a corporation, partnership, limited liability partnership, or limited liability company that desires to be qualified as a health care provider, with the payment of an additional surcharge, and the filing of a proof of financial responsibility with the board; to provide with respect to certain filing fees in connection with the naming of additional qualified defendants named in any amendment to the request for review; to provide that all amendments to a request for review shall be filed with the division of administration and that upon receipt of any amendment, the division of administration is required to forward the amendment to the Patient's Compensation Fund Oversight Board within five days; to provide with respect to membership on a medical review panel; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed Senate Bill No. 359 by Senator Hines

AMENDMENT NO. 1

On page 5, line 4, after "holds " delete "a " and insert "an unrestricted"

On motion of Senator Hines, the amendments were adopted.

The bill was read by title. Senator Hines moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Kostelka	

Total—37

NAYS

Total—0

ABSENT

Barham Romero

Total—2

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

SENATE BILL NO. 477—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 40:962.1.1(A), relative to possession of ephedrine, pseudoephedrine, or phenylpropanolamine or their salts, optical isomers and salts of optical isomers; to redefine the crime relative to the amount of such substances; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Schedler
Cheek	Hollis	Smith

Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Barham	Romero
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 564—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 9:315.9(A)(6), 315.18(C), and 374(C) and to enact R.S. 9:315.9(A)(7), relative to child support; to provide for discretion in awarding a dependency exemption; to provide for the pro rata sharing of uncovered medical expenses in a shared custody arrangement; to provide relative to rental or mortgage note reimbursement when sole use of the home is made; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Heitmeier	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Barham	Holden	Romero
Hainkel	Kostelka	

Total—5

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 598—
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 29:733.2, relative to emergency preparedness; to limit the liability of volunteers providing transportation during emergencies and disasters; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Jones
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fields	Marionneaux
Boasso	Fontenot	Michot
Boissiere	Gautreaux, B	Mount
Cain	Gautreaux, N	Nevers
Chaisson	Heitmeier	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Total—33		

NAYS

Total—0

ABSENT

Barham	Holden	McPherson
Hainkel	Kostelka	Romero
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 837—
BY SENATORS CAIN AND SCHEDLER
AN ACT

To amend and reenact 40:1379.3(T)(1) relative to concealed weapons, to provide for reciprocity with other states which have concealed weapons laws; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 837 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2 after "reenact" insert "R.S." and on line 6, following "40:1379" and before "(T)" insert ".3"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Cain moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Barham	Hainkel	Romero
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Dupre asked that Senate Bill No. 556 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 556—
BY SENATOR DUPRE

AN ACT

To enact R.S. 32:672 through 674, relative to the Department of Public Safety and Corrections; to require the Department of Public Safety and Corrections, office of motor vehicles, to establish and maintain the impaired driver tracking system; to provide for legislative intent; to require certain agencies to

provide information regarding the arrest, prosecution, conviction, and disposition of persons arrested for certain driving offenses; to provide for the exchange of that information between agencies; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—35		

NAYS

Total—0

ABSENT

Barham	Hainkel
Chaisson	Romero
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Holden asked that Senate Bill No. 672 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 672—
BY SENATOR HOLDEN

AN ACT

To enact R.S. 23:1032(D), relative to workers' compensation; to provide with respect to exclusivity of remedy; to provide for exceptions to civil immunity under workers' compensation law; to provide that workers' compensation exclusivity as a remedy shall not extend to injuries that could have been prevented by safety devices that have knowingly and intentionally been removed by the employer or principal; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 672 by Senator Holden

AMENDMENT NO. 1

On page 2, at the end of line 1 insert the following "The provisions of this Subsection shall not apply if the safety guard or device is removed to accomplish necessary repairs or maintenance to the equipment, and the injury occurs while the repair or maintenance is being performed."

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Engrossed Senate Bill No. 672 by Senator Holden

AMENDMENT NO. 1

On page 2 at the end of line 1, insert the following: "The provisions of this Subsection shall only apply if the manufacturer explicitly states that the guard or safety device shall be in place when the device is utilized."

On motion of Senator Fontenot, the amendments were adopted.

Senator Fields in the Chair

The bill was read by title. Senator Holden moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Jones
Amedee	Fontenot	Lentini
Bajoie	Gautreaux, B	Malone
Boissiere	Gautreaux, N	Marionneaux
Cain	Heitmeier	McPherson
Chaisson	Holden	Nevers
Cravins	Irons	Schedler
Dupre	Jackson	
Total—23		

NAYS

Adley	Duplessis	Romero
Boasso	Hollis	Smith
Cheek	Kostelka	Theunissen

Dardenne
Total—12

Michot
ABSENT

Ullo

Barham
Ellington
Total—4

Hainkel
Mount

The Chair declared the amended bill was passed. The title was read and adopted. Senator Holden moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Jackson asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 13, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 80—

BY REPRESENTATIVE PIERRE

A CONCURRENT RESOLUTION

To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 2004-2005, as adopted by the Wetlands Conservation and Restoration Authority.

HOUSE CONCURRENT RESOLUTION NO. 115—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources to provide to the Louisiana Oyster Task Force information which would delineate the projected salinity regimes for a five-year period and a three-year projection of areas that will be restricted to oyster leasing.

HOUSE CONCURRENT RESOLUTION NO. 146—

BY REPRESENTATIVE TOWNSEND AND SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to take certain actions to reduce invasive aquatic weeds in Saline Lake.

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVES STRAIN, THOMPSON, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, GEYMAN, M. GUILLORY, HILL, HUDSON, LAFLEUR, MORRISH, JACK SMITH, AND ST. GERMAIN

A CONCURRENT RESOLUTION

To memorialize congress to oppose the Central America Free Trade Agreement and other free trade agreements which are harmful to American sugar producers.

HOUSE CONCURRENT RESOLUTION NO. 113—

BY REPRESENTATIVES BALDONE BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, GEYMAN, M. GUILLORY, HILL, HUDSON, LAFLEUR, MORRISH, JACK SMITH, ST. GERMAIN, STRAIN AND THOMPSON

A CONCURRENT RESOLUTION

To memorialize congress to oppose the Central America Free Trade Agreement and other free trade agreements which are harmful to American sugar producers.

HOUSE CONCURRENT RESOLUTION NO. 183—

BY REPRESENTATIVE WINSTON

A CONCURRENT RESOLUTION

To request the Department of Transportation and Development to study and reevaluate the necessity of installing a traffic signal at the intersection of Louisiana Highway 1077 and Louisiana Highway 1085 in St. Tammany Parish and to report such findings to the House and Senate Transportation, Highways and Public Works Committees within sixty days.

HOUSE CONCURRENT RESOLUTION NO. 184—

BY REPRESENTATIVE DOVE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of four-laning Louisiana Highway 311 in Terrebonne Parish from Barrow Street to Savanne Road.

HOUSE CONCURRENT RESOLUTION NO. 185—

BY REPRESENTATIVES M. POWELL, BAYLOR, BRUCE, HOPKINS, MONTGOMERY, JANE SMITH, WADDELL, BAUDOUIN, BROOME, BURRELL, DOERGE, DOVE, FAUCHEUX, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HUNTER, KATZ, KENNEY, LAMBERT, RICHMOND, RITCHIE, SALTER, SHEPHERD, AND WINSTON AND SENATORS JACKSON, ADLEY, CHEEK, HOLDEN, AND MALONE

A CONCURRENT RESOLUTION

To urge and request the city of Shreveport to take all appropriate and immediate action to rename the Lakeside Golf Course in honor of Jerry Tim Brooks and to recognize his outstanding accomplishments.

HOUSE CONCURRENT RESOLUTION NO. 137—

BY REPRESENTATIVES ODINET, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, GEYMAN, M. GUILLORY, HILL, KENNEY, LAFLEUR, MORRISH, JACK SMITH, ST. GERMAIN, STRAIN, AND THOMPSON

A CONCURRENT RESOLUTION

To request the Department of Agriculture and Forestry, the Department of Wildlife and Fisheries, and the Department of Health and Hospitals to form an interagency task force to examine agricultural commodities imported into Louisiana from the state of California to confirm their compliance with public health and safety standards.

HOUSE CONCURRENT RESOLUTION NO. 15—

BY REPRESENTATIVE BOWLER

A CONCURRENT RESOLUTION

To urge and request the division of administration to study the feasibility of implementing a statewide electronic payment system.

HOUSE CONCURRENT RESOLUTION NO. 134—

BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To express the intent of the Louisiana Legislature in the passage of Act No. 715 of the 2003 Regular Session relative to the retroactive effects on the ownership of improvements, including abandoned oil casings and facilities placed by a lessee or another third party on the land of another.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House of Representatives with a view of acting on same:

HOUSE CONCURRENT RESOLUTION NO. 15—

BY REPRESENTATIVE BOWLER

A CONCURRENT RESOLUTION

To urge and request the division of administration to study the feasibility of implementing a statewide electronic payment system.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVES STRAIN, THOMPSON, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, GEYMAN, M. GUILLORY, HILL, HUDSON, LAFLEUR, MORRISH, JACK SMITH, AND ST. GERMAIN

A CONCURRENT RESOLUTION

To memorialize congress to oppose the Central America Free Trade Agreement and other free trade agreements which are harmful to American sugar producers.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 80—

BY REPRESENTATIVE PIERRE

A CONCURRENT RESOLUTION

To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 2004-2005, as adopted by the Wetlands Conservation and Restoration Authority.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 113—

BY REPRESENTATIVES BALDONE BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, GEYMAN, M. GUILLORY, HILL, HUDSON, LAFLEUR, MORRISH, JACK SMITH, ST. GERMAIN, STRAIN AND THOMPSON

A CONCURRENT RESOLUTION

To memorialize congress to oppose the Central America Free Trade Agreement and other free trade agreements which are harmful to American sugar producers.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 115—
BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources to provide to the Louisiana Oyster Task Force information which would delineate the projected salinity regimes for a five-year period and a three-year projection of areas that will be restricted to oyster leasing.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 134—
BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To express the intent of the Louisiana Legislature in the passage of Act No. 715 of the 2003 Regular Session relative to the retroactive effects on the ownership of improvements, including abandoned oil casings and facilities placed by a lessee or another third party on the land of another.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 137—
BY REPRESENTATIVES ODINET, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, GEYMAN, M. GUILLORY, HILL, KENNEY, LAFLEUR, MORRISH, JACK SMITH, ST. GERMAIN, STRAIN, AND THOMPSON

A CONCURRENT RESOLUTION

To request the Department of Agriculture and Forestry, the Department of Wildlife and Fisheries, and the Department of Health and Hospitals to form an interagency task force to examine agricultural commodities imported into Louisiana from the state of California to confirm their compliance with public health and safety standards.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 146—
BY REPRESENTATIVE TOWNSEND AND SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to take certain actions to reduce invasive aquatic weeds in Saline Lake.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 183—
BY REPRESENTATIVE WINSTON

A CONCURRENT RESOLUTION

To request the Department of Transportation and Development to study and reevaluate the necessity of installing a traffic signal at the intersection of Louisiana Highway 1077 and Louisiana Highway 1085 in St. Tammany Parish and to report such findings to the House and Senate Transportation, Highways and Public Works Committees within sixty days.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 184—
BY REPRESENTATIVE DOVE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of four-laning Louisiana Highway 311 in Terrebonne Parish from Barrow Street to Savanne Road.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 185—
BY REPRESENTATIVES M. POWELL, BAYLOR, BRUCE, HOPKINS, MONTGOMERY, JANE SMITH, WADDELL, BAUDOUIN, BROOME, BURRELL, DOERGE, DOVE, FAUCHEUX, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HUNTER, KATZ, KENNEY, LAMBERT, RICHMOND, RITCHIE, SALTER, SHEPHERD, AND WINSTON AND SENATORS JACKSON, ADLEY, CHEEK, HOLDEN, AND MALONE

A CONCURRENT RESOLUTION

To urge and request the city of Shreveport to take all appropriate and immediate action to rename the Lakeside Golf Course in honor of Jerry Tim Brooks and to recognize his outstanding accomplishments.

The resolution was read by title. Senator Jackson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Hainkel
Barham	Mount
Total—4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call, Resumed**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 820 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 820—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 27:25(E), relative to hearings conducted by the Louisiana Gaming Control Board Hearing Office; to provide that the decision of a hearing officer on any dispute shall not be appealable by the state; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 820 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 27:25(E)" and before the comma ",", insert "and 26"

AMENDMENT NO. 2

On page 1, line 4, after "dispute shall" delete "not be appealable by the state;" and insert in lieu thereof "be appealable to the Nineteenth Judicial District Court by either party; to delete procedure for appealing a determination of a hearing officer to the board;"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 27:25(E)" delete "is" and insert "and 26 are"

AMENDMENT NO. 4

On page 1, line 11, after "conducted." delete the remainder of the line and insert "Either party to such hearing"

AMENDMENT NO. 5

On page 1, at the beginning of line 12, delete "state" and change "board" to "board Nineteenth Judicial District Court" and delete "As to the state, the"

AMENDMENT NO. 6

On page 1, at the beginning of line 13 delete "decision of the hearing officer shall be final. Such An" and insert in lieu thereof "Such"

AMENDMENT NO. 7

On page 1, line 14, change "board" to "board Nineteenth Judicial District Court" and after "decision" insert a period "." and delete the remainder of the line and delete line 15 and insert "Except in the case"

AMENDMENT NO. 8

On page 2, line 2, change "Louisiana Gaming Control Board" to "Louisiana Gaming Control Board Nineteenth Judicial District Court"

AMENDMENT NO. 9

On page 2, after line 2, insert the following:

"§26. Appeals from board hearing officer

All appeals from any decision of the board hearing officer shall be filed within ten days of notice of the decision in the Nineteenth Judicial District Court and shall be reviewed solely on the record de novo."

* * *

Senator Marionneaux moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Lentini
Boissiere	Gautreaux, N	Marionneaux
Chaisson	Heitmeier	McPherson
Cheek	Holden	Nevers
Cravins	Jackson	
Dupre	Jones	
Total—16		

NAYS

Adley	Fontenot	Michot
Amedee	Gautreaux, B	Mount
Boasso	Hollis	Romero
Cain	Irons	Schedler
Dardenne	Kostelka	Smith
Duplessis	Malone	Theunissen
Total—18		

ABSENT

Mr. President	Ellington	Ullo
Barham	Hainkel	
Total—5		

The Chair declared the amendments were rejected.

On motion of Senator Marionneaux, the bill was read by title and returned to the Calendar, subject to call.

Called from the Calendar

Senator Jackson asked that Senate Bill No. 863 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 863—
BY SENATOR JACKSON

AN ACT

To enact Part VIII of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:405.5, relative to smoke-free zones; to provide for the establishment of such zones in certain locations; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Jackson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Engrossed Senate Bill No. 863 by Senator Jackson

AMENDMENT NO. 1

On page 1, lines 2 and 7, change "Part VIII" to "Part VIII-A"

AMENDMENT NO. 2

On page 1, line 9, change "PART VIII" to "PART VIII-A"

On motion of Senator Jackson, the amendments were adopted.

The bill was read by title. Senator Jackson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Barham	Hainkel
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**House Concurrent Resolutions
on Second Reading
Reported by Committees**

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 8—
BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Insurance to pursue with certain exceptions the insurance regulatory modernization action plan formulated by the National Association of Insurance Commissioners.

Reported favorably by the Committee on Insurance.

The resolution was read by title. Senator Amedee moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Hainkel
Barham	Hollis
Total—4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 36—
BY REPRESENTATIVE BOWLER

A CONCURRENT RESOLUTION

To urge and request the state legislatures in the United States to oppose legislation to participate in the Interstate Insurance Product Regulation Compact.

Reported favorably by the Committee on Insurance.

The resolution was read by title. Senator Cravins moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Ellington
Barham	Hainkel
Total—4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 56— BY REPRESENTATIVE FAUCHEUX (BY REQUEST) A CONCURRENT RESOLUTION

To amend the Department of Health and Hospitals, Board of Embalmers and Funeral Directors, continuing education rule (LAC 46:XXXVII.709(E)(6)), regarding continuing education credits for instructors of approved courses, and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Amedee moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Lentini
Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers

Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Chaisson	Hainkel
Barham	Ellington	McPherson
Total—6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 389 (Duplicate of Senate Bill No. 358)— BY REPRESENTATIVE MURRAY AND SENATOR BAJOE AND COAUTHORED BY MARCHAND AN ACT

To amend and reenact R.S. 19:136, 136.1(1), (3), and (4)(d), 136.2(B), 136.3(2) and (3)(a), 136.6 through 136.8, 136.9(B), and 136.11, to enact R.S. 19:136.12, and to repeal R.S. 19:136.1(4)(e) and 136.10, relative to the expropriation of blighted or abandoned property by the city of New Orleans; to provide for the applicability to redemptive periods; to provide relative to the definition of "abandoned property"; to provide for notice to the owner; to provide for substantial rehabilitation and the payment of taxes and liens; to provide for the contents and notice of the petition for expropriation; to provide relative to the answer and opposition to the petition and for the waiver of defenses; to provide for the cancellation of inscriptions; to provide for the sale or transfer of expropriated property to third persons; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 390— BY REPRESENTATIVE MURRAY AN ACT

To amend and reenact R.S. 19:132, 132.1(A), and 132.8, relative to expropriations by the city of New Orleans; to provide for the expropriation of property needed for a street, drainage, water, utility, sewerage, or other capital project prior to judgment in the trial court fixing the amount of compensation due to the owner of the property; to provide for the application of existing expropriation laws; and to provide for related matters.

The bill was read by title. Senator Bajoie moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Fields	Lentini
Bajoie	Fontenot	Marionneaux
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Kostelka	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Ellington	McPherson
Adley	Hainkel	Schedler
Barham	Malone	
Total—8		

The Chair declared the bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 478—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 3:4602(1) and (13), 4623(A), 4671, and 4684, to enact R.S. 3:4602(1.1), (12.2), (13.1), and (14.1), and to repeal R.S. 3:4672(G), 4674, 4676, 4677, 4687, and 4688, relative to the regulation of devices for weighing and measuring petroleum products; to exempt petroleum for specified uses from certain fees; to provide relative to penalties for violations of petroleum weights and measures regulations; to repeal regulations applicable to gasoline blended with ethanol or methanol; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Kostelka
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Schedler

Cravins
Dardenne
Duplessis
Total—30

Irons	Smith
Jackson	Theunissen
Jones	Ullo

NAYS

Total—0

ABSENT

Mr. President	Ellington	Lentini
Barham	Hainkel	McPherson
Cain	Heitmeier	Romero
Total—9		

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 501—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 51:1306(introductory paragraph), relative to the Tax Free Shopping Program; to eliminate the requirement that an international visitor show a foreign passport to a retailer at the time of purchase; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Kostelka
Amedee	Fields	Lentini
Bajoie	Fontenot	Malone
Boasso	Gautreaux, B	Marionneaux
Boissiere	Gautreaux, N	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	
Total—32		

NAYS

Ullo
Total—1

ABSENT

Mr. President	Ellington	McPherson
Barham	Hainkel	Romero
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 506—BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:301(13)(d), relative to the sales and use tax; to change the source of price data used to determine the sales price of refinery gas; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Kostelka
Amedee	Fields	Lentini
Bajoie	Fontenot	Malone
Boasso	Gautreaux, B	Marionneaux
Boissiere	Gautreaux, N	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Ellington	McPherson
Barham	Hainkel	Romero
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 696—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

AN ACT

To enact R.S. 39:71(D), relative to budget allotments; to provide for cash advances or seeds to state agencies; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	Michot

Boasso
Boissiere
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Dupre
Total—31

Gautreaux, N	Mount
Heitmeier	Nevers
Holden	Schedler
Hollis	Smith
Irons	Theunissen
Jackson	Ullo
Jones	
Lentini	

NAYS

Kostelka
Total—1

ABSENT

Mr. President	Ellington	Romero
Barham	Hainkel	
Cain	McPherson	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 898—

BY REPRESENTATIVES HAMMETT, ARNOLD, DOWNS, FAUCHEUX, HILL, KENNEY, MONTGOMERY, ODINET, RICHMOND, AND JANE SMITH

AN ACT

To amend and reenact R.S. 47:118(I)(introductory paragraph), relative to individual income tax; to provide the authority to waive the estimated income tax penalty in certain situations; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Kostelka
Amedee	Fields	Lentini
Bajoie	Fontenot	Malone
Boasso	Gautreaux, B	Marionneaux
Boissiere	Gautreaux, N	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Ellington	McPherson
Barham	Hainkel	Romero

Total—6

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1123—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1578(B)(3) and to enact R.S. 47:1578(C), (D), and (E), relative to the Department of Revenue; to provide for the release of any part of property subject to a recorded lien, privilege, mortgage, or other encumbrance when the state of Louisiana's interest in the part to be released has no value; to provide for the fees and costs associated with the cancellation or release of a lien, privilege, mortgage, or other encumbrance; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Ellington	McPherson
Barham	Hainkel	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1341—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1832(A), relative to the tax commission; to provide for the membership of such commission; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Lentini
Amedee	Fields	Marionneaux
Bajoie	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—30		

NAYS

Chaisson	Kostelka	Malone
Total—3		

ABSENT

Mr. President	Ellington	Hainkel
Barham	Fontenot	McPherson
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 41—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 15:708(A)(1)(a), relative to work programs for prisoners; to authorize parish prisoners to participate in work activities in or upon the buildings, other improvements, or property of certain tax-exempt organizations; and to provide for related matters.

The bill was read by title. Senator B. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith

Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Ellington	Kostelka
Barham	Hainkel	McPherson
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 838—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2025(E)(1)(a), relative to civil penalties for violations of the Environmental Quality Act; to increase the maximum civil penalty; and to provide for related matters.

The bill was read by title. Senator Amedee moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Ellington	McPherson
Barham	Hainkel	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 312—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 9:3530(C)(4), relative to the Louisiana Consumer Credit Law; to provide for an alternative documentation fee that a lender may charge in connection with certain non-real estate consumer loans; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Lentini
Amedee	Fontenot	Malone
Bajoie	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Cain	Hainkel
Barham	Ellington	McPherson
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 317—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:243(B)(2), relative to immovable property held by state banks; to revise the procedure for appraisal of such property; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount

Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Ellington	McPherson
Barham	Hainkel	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 329—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:312(A) and 765(B) and to repeal R.S. 6:325(E) and 768(E), relative to financial institutions; to delete certain obsolete provisions relating to state inheritance taxes; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Ellington	McPherson
Barham	Hainkel	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 398—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:636(A)(introductory paragraph) and (2), relative to cancellation of insurance policies; to define "delivered" for purposes of notice of cancellation; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Amedee	Gautreaux, B	Marionneaux
Bajoie	Gautreaux, N	McPherson
Boasso	Heitmeier	Michot
Boissiere	Holden	Mount
Chaisson	Hollis	Nevers
Cheek	Irons	Romero
Cravins	Jackson	Schedler
Dardenne	Jones	Smith
Duplessis	Kostelka	Theunissen
Dupre	Lentini	Ullo
Total—33		

NAYS

Fields
Total—1

ABSENT

Mr. President	Cain	Hainkel
Barham	Ellington	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 401—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 9:3144(A)(3) and (B)(1), relative to the New Home Warranty Act; to reduce the warranty period for certain major structural defects; to clarify the warranty exclusion for trees; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Boasso	Heitmeier	Mount
Boissiere	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Jackson	Schedler
Cravins	Jones	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo
Dupre	Malone	
Total—32		

NAYS

Fields	Irons
Total—2	

ABSENT

Mr. President	Cain	Hainkel
Barham	Ellington	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair**HOUSE BILL NO. 423—**

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 22:1430.14(A), relative to the FAIR and Coastal plans; to provide for audited statements; to provide for reporting requirements; and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Boasso	Heitmeier	Mount
Boissiere	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo

Dupre
Total—35

Lentini

NAYS

Total—0

ABSENT

Barham	Ellington
Cain	Hainkel
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 517—

BY REPRESENTATIVE JOHNS
AN ACT

To enact Subpart B-1 of Part XXX of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1441 through 1441.26, relative to the residual property insurance market; to provide for Louisiana Citizens Property Insurance Corporation; to provide for legislative intent and purpose; to provide for interpretation of laws; to provide for servicing of policies; to provide for the Coastal Plan; to provide for the FAIR Plan; to provide for the governance and administration; and to otherwise provide with respect thereto.

On motion of Senator Mount, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 530—

BY REPRESENTATIVES LANCASTER, BROOME, HAMMETT, AND
SALTER

AN ACT

To amend and reenact R.S. 18:1505.2(A), relative to the Campaign Finance Disclosure Act; to provide for penalties for violations of provisions of the Campaign Finance Disclosure Act that prohibit contributions in the name of another; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Bajoie	Gautreaux, N	Michot
Boasso	Heitmeier	Mount
Boissiere	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Lentini	

Total—35

NAYS

Total—0

ABSENT

Barham Ellington
Cain Hainkel
Total—4

The Chair declared the bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Introduction of Senate Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 106— BY SENATOR LENTINI AND REPRESENTATIVE MARTINY A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to extend and expand the pilot program for home incarceration and electronic monitoring that was established by Act No. 1139 of the 2001 Regular Session.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Judiciary B.

SENATE CONCURRENT RESOLUTION NO. 107— BY SENATOR BOASSO A CONCURRENT RESOLUTION

To create the Joint Legislative Commission on Saltwater Fisheries and the Ad Hoc Saltwater Fisheries Advisory Board to study and make recommendations to the legislature on a revision of the state's saltwater fisheries laws and regulations as they pertain to commercial and recreational fishing.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Natural Resources.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 13, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 205— BY REPRESENTATIVE FUTRELL AN ACT

To amend and reenact R.S. 47:1568(B), relative to state taxation; to increase the time period for payment of certain taxes due; and to provide for related matters.

HOUSE BILL NO. 419— BY REPRESENTATIVE PINAC AN ACT

To amend and reenact R.S. 4:144(B), relative to members of the State Racing Commission; to prohibit a horse owned directly or indirectly by a commission member from racing in Louisiana; to provide for consequences; and to provide for related matters.

HOUSE BILL NO. 694— BY REPRESENTATIVE ARNOLD A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(E) of the Constitution of Louisiana, to remove prohibition against extending ad valorem tax exemption for motor vehicles to taxes levied by a municipal governing authority or a district created by such authority; and to provide for related matters.

HOUSE BILL NO. 702— BY REPRESENTATIVE DURAND AN ACT

To amend and reenact R.S. 39:1514(A)(1)(a) and (b), relative to multi-year contracts; to provide contracts for electronic disbursement services for child support payments to be entered into for five years; to provide that contracts for electronic benefits issuance services may be entered into for periods of up to ten years; and to provide for related matters.

HOUSE BILL NO. 1139— BY REPRESENTATIVE HAMMETT AN ACT

To amend and reenact R.S. 47:1967(A), (B), (E), and (G), 1969, and 1971, relative to ad valorem taxation; to provide for the assessment of certain bank stock; and to provide for related matters.

HOUSE BILL NO. 995— BY REPRESENTATIVE MURRAY AN ACT

To enact R.S. 42:808(A)(8), relative to the Office of Group Benefits; to provide for the New Orleans district attorney and employees to be eligible for programs offered by the Office of Group Benefits; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1092—

BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 42:1303(6), relative to the Government Deferred Compensation Plan; to provide for certain powers and duties of the commission; to provide for benefits under the Deferred Compensation Plan; and to provide for related matters.

HOUSE BILL NO. 1165—

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 38:1794(B)(2), relative to drainage districts; to provide relative to compensation of certain members; and to provide for related matters.

HOUSE BILL NO. 1278—

BY REPRESENTATIVES TUCKER AND FUTRELL
AN ACT

To enact R.S. 49:1128, to establish the Military Economic Development and Transportation Fund as a special fund in the state treasury; to provide for deposit of certain monies into the fund; to provide for use of monies in the fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1292—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 32:771(1) and (15), relative to motorcycles and all-terrain vehicles; to revise the definition of all-terrain vehicle; to provide that the term "motorcycle" shall not include electric-powered scooters; and to provide for related matters.

HOUSE BILL NO. 1310—

BY REPRESENTATIVE SALTER
AN ACT

To authorize the state of Louisiana to forgive a portion of the mortgage payment and to redirect certain payments due to the state from the Coushatta Industrial Development Corporation for the purposes of the further economic development of the city of Coushatta under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1464—

BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 9:5141(C) and (D) and R.S. 35:17(B), relative to public records on immovable property; to provide relative to social security and other taxpayer identification numbers; and to provide for related matters.

HOUSE BILL NO. 1507—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 33:2201(C)(1), relative to financial security of survivors of law enforcement officers; to provide for payments to surviving parents when there is no surviving spouse; and to provide for related matters.

HOUSE BILL NO. 1590—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 38:2212(A)(3)(g), relative to public contracts; to provide relative to contracts for construction management; and to provide for related matters.

HOUSE BILL NO. 1593—

BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 32:1728.2, relative to disposal of motor vehicles; to provide relative to the definition of junk vehicles; and to provide for related matters.

HOUSE BILL NO. 1594—

BY REPRESENTATIVE PITRE
AN ACT

To amend and reenact R.S. 48:231, relative to the state highway system; to provide relative to public hearings in each highway district; to require the Joint Highway Priority Construction Committee to conduct such hearings; to provide relative to the membership of such committee; to provide relative to the presiding officer of such committee; and to provide for related matters.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 205—

BY REPRESENTATIVE FUTRELL
AN ACT

To amend and reenact R.S. 47:1568(B), relative to state taxation; to increase the time period for payment of certain taxes due; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 419—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 4:144(B), relative to members of the State Racing Commission; to prohibit a horse owned directly or indirectly by a commission member from racing in Louisiana; to provide for consequences; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 694—

BY REPRESENTATIVE ARNOLD
A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(E) of the Constitution of Louisiana, to remove prohibition against extending ad valorem tax exemption for motor vehicles to taxes levied by a municipal governing authority or a district created by such authority; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 702—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 39:1514(A)(1)(a) and (b), relative to multi-year contracts; to provide contracts for electronic disbursement services for child support payments to be entered into for five years; to provide that contracts for electronic benefits issuance services may be entered into for periods of up to ten years; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 995—

BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 42:808(A)(8), relative to the Office of Group Benefits; to provide for the New Orleans district attorney and employees to be eligible for programs offered by the Office of Group Benefits; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1092—

BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 42:1303(6), relative to the Government Deferred Compensation Plan; to provide for certain powers and duties of the commission; to provide for benefits under the Deferred Compensation Plan; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1139—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1967(A), (B), (E), and (G), 1969, and 1971, relative to ad valorem taxation; to provide for the assessment of certain bank stock; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1165—

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 38:1794(B)(2), relative to drainage districts; to provide relative to compensation of certain members; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1278—

BY REPRESENTATIVES TUCKER AND FUTRELL
AN ACT

To enact R.S. 49:1128, to establish the Military Economic Development and Transportation Fund as a special fund in the state treasury; to provide for deposit of certain monies into the fund; to provide for use of monies in the fund; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1292—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 32:771(1) and (15), relative to motorcycles and all-terrain vehicles; to revise the definition of all-terrain vehicle; to provide that the term "motorcycle" shall not include electric-powered scooters; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1310—

BY REPRESENTATIVE SALTER
AN ACT

To authorize the state of Louisiana to forgive a portion of the mortgage payment and to redirect certain payments due to the state from the Coushatta Industrial Development Corporation for the purposes of the further economic development of the city of Coushatta under certain circumstances; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1464—

BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 9:5141(C) and (D) and R.S. 35:17(B), relative to public records on immovable property; to provide relative to social security and other taxpayer identification numbers; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1507—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 33:2201(C)(1), relative to financial security of survivors of law enforcement officers; to provide for payments to surviving parents when there is no surviving spouse; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1590—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 38:2212(A)(3)(g), relative to public contracts; to provide relative to contracts for construction management; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1593—

BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 32:1728.2, relative to disposal of motor vehicles; to provide relative to the definition of junk vehicles; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1594—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 48:231, relative to the state highway system; to provide relative to public hearings in each highway district; to require the Joint Highway Priority Construction Committee to conduct such hearings; to provide relative to the membership of such committee; to provide relative to the presiding officer of such committee; and to provide for related matters.

The bill was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 13, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 187—

BY REPRESENTATIVE JACK SMITH

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Jeffery Lynn Reed of Amelia.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 187—

BY REPRESENTATIVE JACK SMITH

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Jeffery Lynn Reed of Amelia.

The resolution was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

Senator Holden, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

May 13, 2004

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

SENATE BILL NO. 32—

BY SENATOR FIELDS

AN ACT

To enact R.S. 23:643, relative to payment of employees; to provide with respect to the establishment of a state minimum wage; to provide for an increase in state minimum wage when the federal minimum wage is increased; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 304—

BY SENATOR HOLDEN

AN ACT

To enact R.S. 33:2504(D) and (E), relative to political activities; to provide with respect to the prohibition against certain political activities by persons in the classified service; to provide that the prohibition shall not apply to any labor organization representing law enforcement officers or to any officer of a labor organization representing law enforcement officers while acting in such capacity; to provide for the effectiveness of this Act; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 305—

BY SENATOR HOLDEN

A JOINT RESOLUTION

Proposing to amend Article X, Section 20 of the Constitution of Louisiana, relative to political activities; to provide that the provisions of Article XIV, Section 15.1, Paragraph 34 of the Constitution of 1921, retained in the Louisiana Constitution of 1974, shall not apply to any labor organization representing law enforcement officers or to any officer of a labor organization representing law enforcement officers while acting in such capacity; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 670—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 23:1034.2(F) as amended by Act 454 of the 1989 Regular Session, R.S. 23:1201(F) and R.S. 23:1291(B)(9) and (10), and to repeal R.S. 23:1034.2(F) as amended by Act 25 of the 1989 Regular Session; relative to workers' compensation; to provide with respect to medical benefits; to require that all disputes be resolved according to the medical reimbursement schedules; to provide for penalties when

the insurer engages in a pattern or practice; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
MELVIN "KIP" HOLDEN
Chairman

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 102 from the Committee on Judiciary B.

SENATE CONCURRENT RESOLUTION NO. 102— BY SENATOR ADLEY AND REPRESENTATIVE MONTGOMERY A CONCURRENT RESOLUTION

To urge and request the Louisiana Gaming Control Board to delay action on the pending sale of Harrah's riverboat to Boyd Gaming.

On motion of Senator Adley, the resolution was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator Chaisson asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 575 from the Committee on Health and Welfare.

SENATE BILL NO. 575— BY SENATOR CHAISSON AN ACT

To amend and reenact R.S. 37:1262(1) and to enact R.S. 37:1302, relative to the practice of medicine; to exclude from the definition of "the practice of medicine" a physician's delegation of duties related to administering anesthesia to an anesthesiologist assistant or anesthesia assistant; and to provide for related matters.

On motion of Senator Chaisson, the bill was read by title and withdrawn from the files of the Senate.

Motion to Recommit

Senator Malone asked for and obtained a suspension of the rules and recommitted House Bill No. 620 from the Committee on Judiciary A to the Committee on Natural Resources.

Motion to Recommit

Senator Malone asked for and obtained a suspension of the rules and recommitted House Bill No. 652 from the Committee on Finance to the Committee on Natural Resources.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 13, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 169— BY REPRESENTATIVE BRUNEAU A CONCURRENT RESOLUTION

To urge and request the New Orleans Regional Transit Authority to name a streetcar on the Canal Street line after the Honorable Joseph V. DiRosa and another one after Mr. Patrick F. Taylor and to place an appropriate plaque on each streetcar honoring its eponym and commemorating his preservation or restoration efforts with respect to the Canal streetcar line.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 13, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 103— BY SENATOR MICHOT A CONCURRENT RESOLUTION

To designate May 12, 2004 as "Junior Achievement Day" at the legislature.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 13, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 193—

BY SENATORS BAJOE, SCHEDLER AND HOLDEN AND REPRESENTATIVES DURAND AND MURRAY
AN ACT

To enact Chapter 3 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:311 through 313, relative to children's mental health services; to provide for the creation of a pilot program for a system of care for the delivery of children's mental health services; to provide for the establishment of the Louisiana Youth Enhanced Services consortium; to provide for membership in the consortium; to provide for the jurisdiction of the consortium; to provide guidelines and principles to be used in preparing such a plan; and to provide for related matters.

SENATE BILL NO. 233 (Duplicate of House Bill No. 93)—

BY SENATOR NEVERS AND REPRESENTATIVE STRAIN AND COAUTHORED BY SENATORS CRAVINS, DUPLESSIS AND ROMERO AND REPRESENTATIVES BALDONE, BRUCE, LAFLEUR, T. POWELL, ROMERO, SCALISE, SCHNEIDER, WHITE AND WOOTON
AN ACT

To amend and reenact R.S. 15:574.2(B), relative to parole; to provide with respect to the parole of offenders convicted of certain offenses against a peace officer; and to provide for related matters.

SENATE BILL NO. 303—

BY SENATOR HOLDEN AND REPRESENTATIVE HONEY
AN ACT

To amend and reenact that part of Section 9(B)(14) of Act 1134 of the 2003 Regular Session of the Legislature, as amended by Act 3 of the 2004 First Extraordinary Session of the Legislature, which is applicable to the allocation and distribution of funds in East Baton Rouge Parish, relative to the Revenue Sharing Fund; to provide with respect to certain distributions in East Baton Rouge Parish for Fiscal Year 2003-2004; to provide for the retroactive application of this Act; and to provide for related matters.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

May 13, 2004

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 53—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 9:334(A)(4), relative to child custody; to provide relative to the qualifications of mediators in such proceedings; to expand the authorization for judges meeting certain criteria to serve as such mediators to include all judges of the state; and to provide for related matters.

SENATE BILL NO. 65—

BY SENATORS FIELDS, AMEDEE, BAJOE, CAIN, CHAISSON, DUPLESSIS, B. GAUTREAUX, N. GAUTREAUX, HINES, JACKSON, KOSTELKA, NEVERS AND ROMERO AND REPRESENTATIVES BOWLER, ALARIO, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR, BROOME, BRUCE, BURRELL, K. CARTER, R. CARTER, CURTIS, DANIEL, DARTEZ, DORSEY, DURAND, FANNIN, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, JACKSON, JEFFERSON, KENNEY, LAFLEUR, MARCHAND, MARTINY, McDONALD, MONTGOMERY, MORRELL, MURRAY, PINAC, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SHEPHERD, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAINE, THOMPSON, TOWNSEND, WADDELL, WALKER, WINSTON, AND WRIGHT
AN ACT

To amend and reenact Civil Code Articles 90, 891, 1243, 1352, 1724, and 3506(8); Code of Civil Procedure Articles 683(B) and (C), 732(B) and (C), 1732(3) and 4061.1(A)(3) and (C); Children's Code Articles 1106(A), (B), (C), and (D), 1107.5(E)(3)(a), 1132(A), 1141(A)(3), 1193(2) and (4), 1244(B) and (C), and 1281.3(5); Code of Evidence Articles 803(9), (11), and (19), and 804(B)(4)(a); R.S. 9:392(B), 398.2(A)(2) and (F), and 400(A)(6); R.S. 11:403(19), 701(19), 1732(20), 2178(E)(3), 3113(5)(a) and (b), and 3166(E)(2), R.S. 13:2561.4, 2562.4, and 2563.2(B), R.S. 14:78(B), R.S. 17:1685(F), R.S. 23:1021(3), R.S. 29:293(A), R.S. 33:1947(C)(2), R.S. 40:34(B)(1)(a)(iv) and (vii), (B) (1)(h)(vi), and (E)(1), 40(8) and (11), 41(B), 46(A), 46.1(B)(2), and R.S. 46:1802(3); and to repeal R.S. 9:391, 9:400(A)(5), and R.S. 13:914.1, all relative to the status of children; to provide for the change in terminology from "illegitimate child" to "child born outside of marriage" and from "legitimate child" to "child born of marriage"; to provide for the definition of terms; to provide for the correction of cross-references; and to provide for related matters.

SENATE BILL NO. 119 (Duplicate of House Bill No. 1446)—

BY SENATOR MCPHERSON AND REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 37:2504(G), relative to the Louisiana Board of Examiners of Nursing Facility Administrators; to authorize the board to purchase property and office space and to incur debt in such purchase; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 506—BY SENATORS HEITMEIER AND HINES AND REPRESENTATIVES
ALARIO AND SALTER**AN ACT**

To amend and reenact R.S. 17:421.7(A), relative to the Support Education in Louisiana First Fund; to provide monies remaining in the fund to retain their allocation as provided by law; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 524 (Duplicate of House Bill No. 592)—
BY SENATOR HEITMEIER AND REPRESENTATIVE ALARIO AND
COAUTHORED BY SENATOR HINES AND REPRESENTATIVE
SALTER**AN ACT**

To amend and reenact R.S. 33:108, 131, 135(1)(introductory paragraph) and (2), and 136, R.S. 38:90.4(B)(1) and (2), R.S. 39:21.3(A)(2)(b), (B)(2)(b), (C)(2)(b), (D)(2)(b), (E)(2)(b), and (F)(2)(b), and R.S. 56:1845(C), 1846(A), and 1849(B), all relative to the state planning office/division of administration; to provide with respect to the organization of the division of administration; to correct references to the state planning office; and to provide for related matters.

SENATE BILL NO. 540 (Duplicate of House Bill No. 760)—
BY SENATOR CAIN AND REPRESENTATIVE K. CARTER**AN ACT**

To amend and reenact R.S. 22:691.2(A), relative to standard fire policy; to provide for coverage for peril of fire; and to provide for related matters.

SENATE BILL NO. 629—
BY SENATOR ULLO**AN ACT**

To amend and reenact R.S. 43:111(C), relative to prohibitions on and authorizations for expending public funds for advertising by public agencies; to authorize the Board of Regents to expend such funds to advertise to promote Master Plan goals and promote service and programs offered by learning centers; and to provide for related matters.

SENATE BILL NO. 726 (Duplicate of House Bill No. 1320)—
BY SENATOR HOLLIS AND REPRESENTATIVE PINAC AND
COAUTHORED BY SENATOR HOLDEN**AN ACT**

To amend and reenact R.S. 51:2378(A) and the introductory paragraph of (B), 2382(B)(1), (2), (5), (6), and (7), and 2383(C), and to enact R.S. 51:2378(B)(14) and (15), (C)(15) and (16), and 2381(C), and 2383(A)(13), (14), (15), (16), (17), (18), (19), (20), (21), and (22), relative to the Louisiana Economic Development Council; to increase the membership of the council; to provide for reports by the council to the legislature; to appoint certain subcommittees of the council; to increase the cabinet advisory group on economic development; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Leaves of Absence

The following leaves of absence were asked for and granted:

Barham

1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Monday, May 17, 2004, at 5:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 5:00 o'clock P.M. on Monday, May 17, 2004.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk

